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How Bush Can Save His Iraq Policy

NATIONAL REVIEW

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MALCOLM MUGGERIDGE, 1903–1990

Richard John Neuhaus
Christopher Booker

Also

Robert Bork
Elliott Abrams
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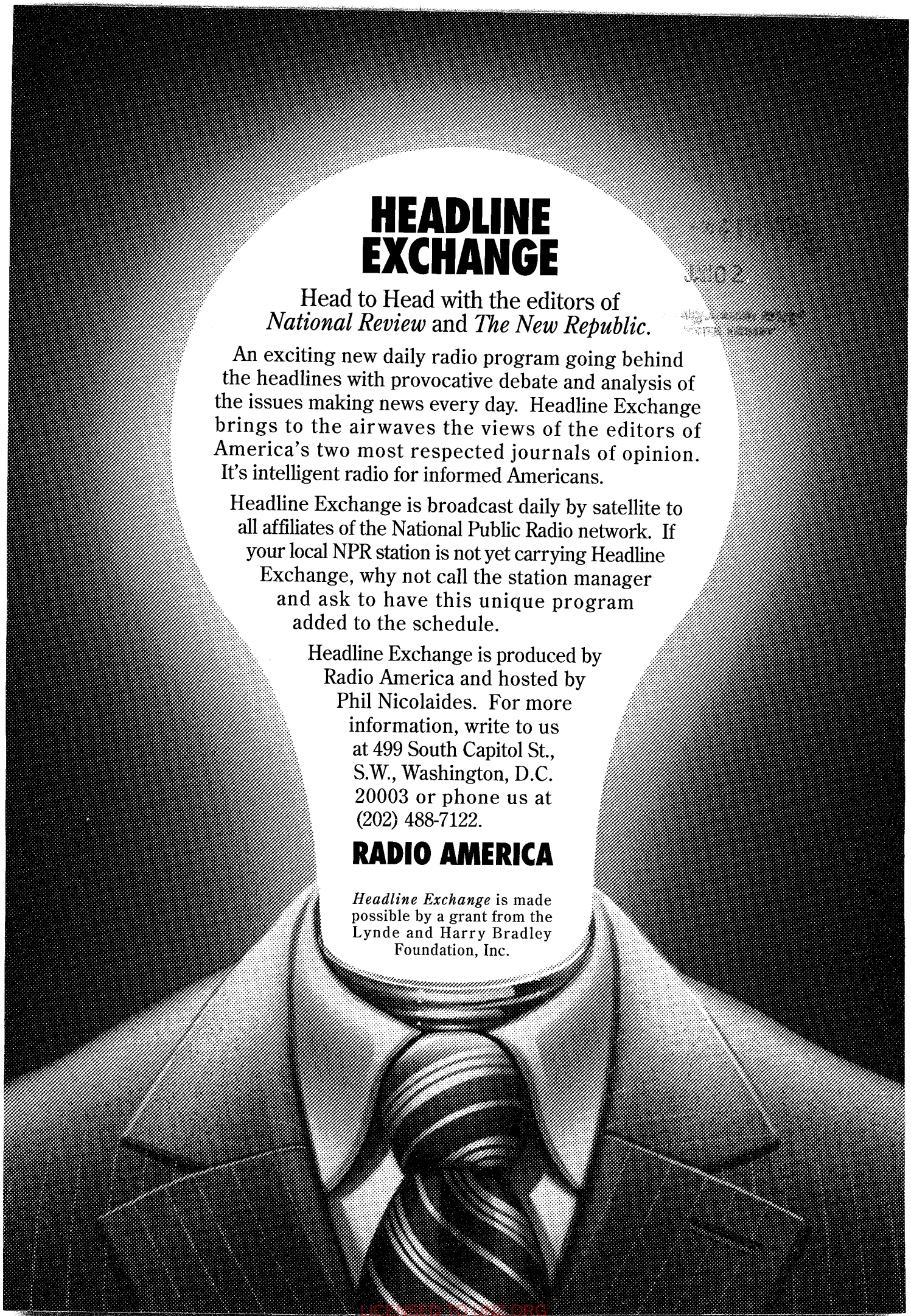
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NATIONAL REVIEW

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The Audit Bureau

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LETTERS

Lest We Forget

A WASP and a conservative, reared in North Carolina, I remember the terrible and embarrassing days of Jim Crow. I grew up among Ku Klux Klan activity and open hostility to members of the black community. Aside from discrimination, I well remember incidents in which blacks were publicly humiliated in front of family members. This was not merely countenanced, it was encouraged and socially rewarded.

In "The Week" [Dec. 3] NATIONAL REVIEW declares, "As the shabby details in [Martin Luther] King's life emerge, a mood of cynicism sets in." I remember watching the news stories on King from the bus boycott forward. My revulsion as a teenager upon witnessing the way blacks in my hometown were treated, coupled with my own impotence, caused me to pull for King and pray for his victories. King became a symbol of deliverance for me, a white.

Because I, like King, am a common sinner, I experience cynicism only at those who expect any human being to be otherwise. I am forever grateful that the shabby details in King's life neither separated him from the love of God nor prevented him from leading other men and women to their deliverance.

I know the point you were making was that people should have the right to say "no" to the leaders for whom holidays are requested. I agree with that point and support it. What disturbs me, however, is the tone of the editorial. When you begin weighing the sins of one individual against the sins of another, you are trying to do God's work. You can also hurt and embarrass your own supporters.

Al Whealton
Winston-Salem, N.C.

Not in Our Lifetime

Daniel Pipes, in "The Muslims Are Coming! The Muslims Are Coming!" [Nov. 19], contends that the 1,400-year history of Islamic–Christian violence can come to an end if Islamic countries would modernize and become more literate, affluent, and politically stable. There is no doubt this is true.

The real question is whether Islamic societies are capable of modernizing at all. The available evidence indicates that they are not.

Although individuals from Muslim societies have contributed greatly in the arts, sciences, and business, no Islamic society has ever been successfully modernized. It is telling that Iran, the one Islamic country whose ruler actively tried to modernize, reacted with a religious revolution led by men who maintain that Islam and modernity are ideological opposites.

Even Turkey, which has done more than any other country to purge itself of Islam, has failed utterly to achieve the kind of progress seen even in Spain or Portugal, let alone Korea or Taiwan.

Given two groups of people similar in culture, language, lifestyle, alike in all things save that one group professes Islam, the other a different faith (Christianity, Judaism, Buddhism, whatever), the non-Muslim group will be more modern than the Muslim. This is true in Egypt, Yugoslavia, Indonesia, Nigeria, Turkey, and the Caucasus. This is also true whether one looks at overall prosperity, literacy, political stability, treatment of women, or any other standard of modernity.

In short, there is no reason to believe that any of us alive today will see an Islamic country reach a high enough level of development to live in freedom, peace, and prosperity. It is therefore inevitable that non-Islamic countries will face some sort of Islamic threat, whether cultural or military, whether from within or without, into the indefinite future.

Mark Krikorian
Winchester, Va.

The article "The Muslims Are Coming! The Muslims Are Coming!" reflects an obvious bias and ignorance regarding Muslims and Islam.

Why does the West feel so insecure? If the so-called high ideals of the West are so great, then these high ideals will self-perpetuate and the West has nothing to worry about. However, if the Western ideas are half-concocted truths based upon fallacies and immoral beliefs, then the West will destroy itself. Let me remind you that the major evils of the world are the products of the West. The West gave the world Communism, colonialism, imperialism, and Fascism. The bombs, the missiles, and the poison gasses are manifestations of the West. And it was the West that introduced the Holocaust to the world.

I also need to educate you that in Islam there is no such thing as a fundamentalist. This word has been applied by ignorants in the West. In Islam, either a person is a Muslim or he is not a Muslim.

O. U. Zaman
Atlanta, Ga.

Resources on Demand

Whenever I see mention of the Club of Rome and its wrongheaded predictions, I am reminded of my late father-in-law ["Raining in Their Hearts," Dec. 3]. That very meticulous man built a house in Atlanta in 1926. Before deciding on the heating system, he consulted with the faculty at Georgia Tech, from which he had recently graduated with a master's degree. He was told that natural gas, though convenient and cheap, would be exhausted in a very few years—ten or fifteen at most. Accordingly, he put in a coal furnace and shoveled coal and hauled ashes for the next umpteen years, which probably contributed to his untimely death at age 92. I see that present proved and probable reserves of natural gas are expected to last well past the end of the century—and even the Georgia Tech faculty would not be likely to deny this.

Could it be that present estimates are also conservative, and that natural gas—like whale oil before it—will last until something better comes along?

George Patrick
Coral Gables, Fla.

Freeing Ukraine

I would like to compliment you and thank you for printing "Why Ukraine Must Be Independent," by Radek Sikorski [Nov. 5]. Mr. Sikorski demonstrated his deep understanding of the problems of the people in Ukraine. He also showed that the only solution to these problems is full independence from the Soviet Union. Past problems have shown that nothing less will ensure the country will avoid repeating the tragedies that occurred when it had ties with the Russians in the past.

I recall another article which covered the famine in Ukraine ["Spiking the Ukrainian Famine, Again," April 11, 1986]. It is what prompted me to become a subscriber to NATIONAL REVIEW.

Alex Danchuk
Livingston, N.J.

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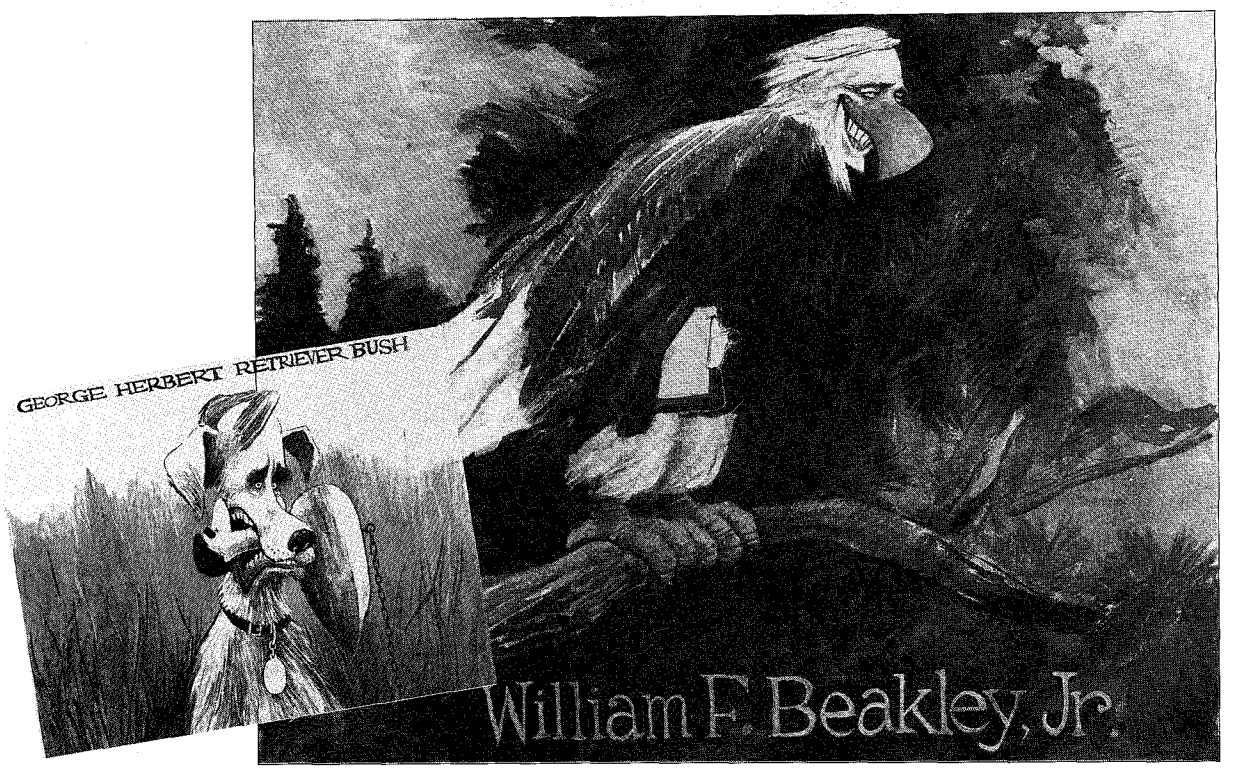

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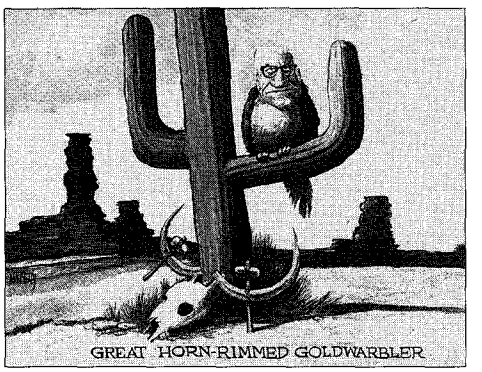

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FROM THE EDITOR

Fire When Ready, de Cuéllar

■ If there was ever a copybook crisis offering every known liberal justification for American military intervention, it is the Gulf crisis. It features: a ruthless military dictator, the risks of nuclear proliferation, a threat to peace in the region, the illegal annexation of a small state, the suppression of the human rights of its citizens with rape, torture, and murder, the repeated condemnation of these actions by the United Nations, a UN vote endorsing international "police action" against the aggressor, and the successful construction of a multinational alliance to implement the resolution. Every liberal condition of every liberal speech made on every United Nations Day for the last 45 years has been met.

One can almost imagine the nation's leading liberal Democrats striding desertward to some suitably half-hearted UN marching song: "Mad Dog" Mitchell, grim-faced under his blue helmet; Tom Foley, debonair leader of the feared commandos popularly known as "Dag Hammarskjöld's Daredevils"; and bringing up the rear, fresh-faced Sergeant Dennis DeConcini, whom the Iraqis refer to (with a shudder) as "the Altar Boy."

Yet, somehow, it doesn't seem to be working out that way. Given every liberal reason to fight, the Democrats are suddenly talking a mixture of pacifism and American nationalism: sanctions will do the trick, America has no vital interest in restoring Kuwait's emir anyway, and somebody might get killed. With honorable exceptions like Stephen Solarz, the Democrats in Congress are, in effect, pacifists. They can imagine nothing worse than war—and they can imagine only the worst kind of war, a long-drawn-out, inconclusive one with heavy casualties.

Anti-Vietnam activists from the McGovern campaign now dominate the party. The pacifist illusions of their youth have been preserved in the aspic of Hollywood's and the media's liberal culture. They will always shrink from the use of American power even when it is in blue UN camouflage. And so will those who hope to be elected by them.

In theory they were willing to back a "good war" blessed by the UN if one ever came along. But they never expected one to come along. When it did, they became America Firsters.

■ By collapsing in Brussels, the Uruguay Round of GATT trade talks borrowed its climax from Agatha Christie: the victim dragged himself to die at the murderer's front door as a sort of clue. Hercule Poirot's little grey cells would soon have detected the little grey men responsible for the crime: the European Community did it.

By offering only derisory cuts in farm subsidies, the EC effectively killed the talks—and perhaps the entire open liberal trading system that rests upon the General Agreement on Tariffs and Trade. If there are no second thoughts in the new year, the EC must accept the lion's share of responsibility for the lost stimulus, creeping protectionism, recessions, and trade wars likely to follow.

And even if there is some half-hearted compromise, the long-term outlook is bleak. The dominant political trend in the Community favors the "harmonization" of social benefits and regulations up to the highest standard. The costs thus imposed on European companies will price them out of the market and lead to demands for protection against the "unfair" competition of less-regulated societies. And bureaucrats in Brussels will oblige.

In the 1980s such tactics were used by the EC only sparingly against the U.S., which had troops defending Europe against possible attack. But the Soviet collapse has removed that incentive for restraint. The demolition of the GATT round is the first sign of the EC's willingness to follow its protectionist instincts at the expense of both the U.S. and the general postwar commitment to free trade. We can expect more. —JOHN O'SULLIVAN

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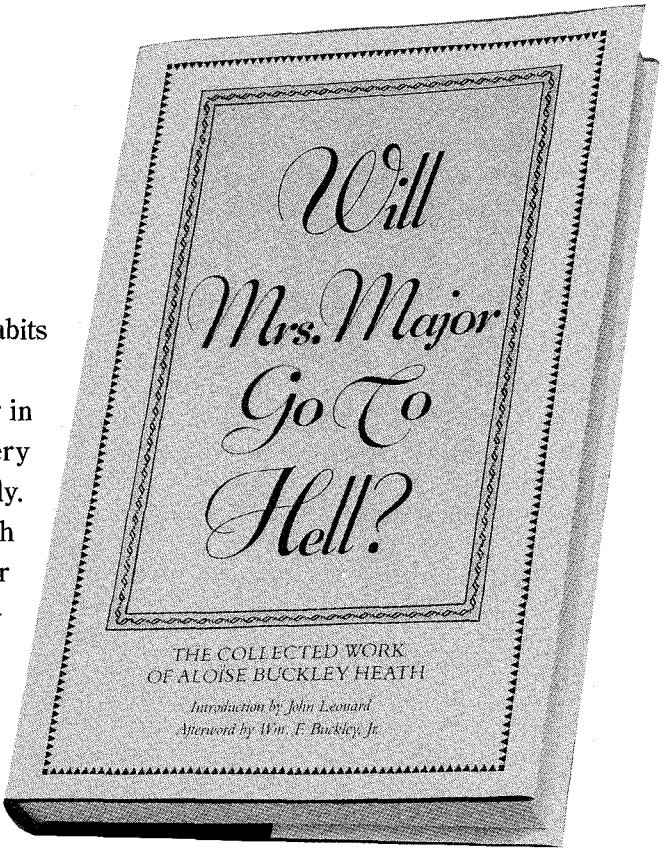
...but you can get the brand-new updated edition of Aloïse Buckley Heath's **Will Mrs. Major Go to Hell?** directly from *National Review* for just $16.95.


Will Mrs. Major Go To Hell?
THE COLLECTED WORK OF ALOÏSE BUCKLEY HEATH
Introduction by John Leonard
Afterword by Wm. F. Buckley, Jr.

Here is what the "Book-of-the-Month Club News" said about **Will Mrs. Major Go to Hell?** when it was first published:

> "It may be the warmest, funniest book about suburban family life since *Please Don't Eat the Daisies*, and it suggests that a true talent was lost when Mrs. Heath died at the untimely age of 48. She was one of ten children and had ten of her own, which helps explain why she was busy. The picture she gives of the way her family lived is both touching and hilarious, and she also casts a wry glance at the social scene in such pieces as one entitled 'Ladies Month in the Slicks,' wherein she notes, regarding the suggestion that harried housewives be given a paid-up charm course for Christmas. 'This gift had better be limited to harried housewives you know very well indeed.'"

...and we honestly can't remember when we've seen a more tender, poignant collection of stories. The late Aloïse Buckley Heath (William F. Buckley Jr.'s sister) wrote some absolutely priceless things about her own family, and the early days of *National Review*, plus some marvelously funny satirical observations on our contemporary habits and institutions.

There is something in this book to please every member of your family. You'll meet all the Heath children and encounter with them such American institutions as the New Math and the episode of the riotous carpool.

Don't miss her wonderfully entertaining views on soap operas or her recollections as an inadvertent fundraiser (successful and highly unorthodox) for Smith College. Her Christmas stories are authentic classics, especially the Heaths' version of a Trapp Family Christmas.

And don't miss her "Baby in the Bathroom," "A Letter for Maureen" or "Politics and Mortal Sin." **Will Mrs. Major Go to Hell?** captures perfectly Mrs. Heath's own vibrant spirit ... the book is an absolute classic of tenderness and humanity.

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ON THE RECORD

■ LOOKING AHEAD: State of the Union address will tell much about how deeply the budget fight split the Republican Party. Will a proposed cut in the capital-gains tax be included in the address? HUD Secretary **Jack Kemp**, backed by Republican House leaders **Newt Gingrich** and **Vin Weber**, is pushing hard for its inclusion as, among other things, essential to spur sluggish economy. . . . Republican pols are watching California, where **Pete Wilson**'s choice of successor in the Senate will tell much about his forthcoming administration. Being mentioned is Orange County supervisor **Gaddy Vasquez**, a Hispanic whose nomination could throw a spanner into **Dianne Feinstein**'s senatorial ambitions. Also on short list, along with a half-dozen GOP congressmen, is **Condoleezza Rice**, a young black Republican Stanford professor, now at National Security Council. . . . In Massachusetts, as feared, new Gov. **William Weld** is moving liberal Republicans of the **Cy Spalding–Elliot Richardson** mold into positions of power in the party. Moderate **Leon Lombardi**—a **Bush**-for-President booster in 1980—has replaced conservative **Ray Shamie** as state chairman, and in state legislature, moderate **Peter Forman** is replacing **Steve Pierce** as minority leader. . . . Looking to 1992, author **Tom Clancy** (*Clear and Present Danger*, *The Hunt for Red October*) is consulting with GOP strategists on possible run against Sen. **Barbara Mikulski** in Maryland.

■ Problem for the Left: **Zoltan Grossman**, columnist for radical *Guardian*, puts his finger on it. The Left can't find a good guy in the Middle East. In the old days there were **Ho**, **Mao**, **Fidel**, and **Che**, and more recently, **Danny**, **Desmond**, and **Nelson**, but in the Gulf, complains Grossman, "there are no progressive 'good guys,' no FMLN or ANC." **Khomeini**, **Qaddafi** & **Saddam** won't do. . . . Still the troops are rallying round. **Molly Yard**'s NOW is urging Congress to "strenuously challenge George Bush's Gulf policy" and will petition the UN to condemn the subjugation of women by the Saudi government. . . . Thirty-five religious and civil-rights leaders—Bishops **Thomas Gumbleton** and **Paul Moore**, the Rev. **Ben Chavis** and **Ramsey Clark**—are calling on UN Security Council to reject the use of force in Iraq and Kuwait. . . . But **Jesse Jackson**'s chat with Saddam Hussein has turned off some of the troops. Asks *Guardian* columnist **Earl Ofari Hutchinson**: "Was this the ultimate photo opportunity that Jackson could not pass up? . . . Has there ever been a press camera that Jackson doesn't like?" . . . In Iraq, the oil minister Saddam fired a month ago for prematurely introducing gas rationing has disappeared. . . . Official computer records of Kuwait's pre-August 2 population—birth and marriage certificates, drivers' licenses, deeds to homes and shops, etc.—have been spirited away. Some have been smuggled out of Kuwait by the resistance, others had been moved to Saudi Arabia before the invasion. Both sets have now been turned over to UN Secretary General **Javier Pérez de Cuéllar** for safekeeping. . . . But here and there the hawks are mobilizing as well. A Committee for Peace and Security in the Gulf, which believes the U.S. should use force if necessary to ensure that Iraq's chemical-, biological-, and potential nuclear-weapons ability is dismantled or destroyed, is uniting liberal Democrats and conservative Republicans. Among its key Democrats are former House Majority Whip **Tony Coelho**, former political director of the DNC **Ann Lewis**, and Rep. **Robert G. Torricelli**, a ranking Democrat on the House Foreign Affairs Committee. Among Republicans are Sen. **Richard Lugar** of Senate Foreign Relations Committee, former Senate Majority Leader **Howard Baker**, former Defense Secretary **Frank Carlucci**, and former UN Amb. **Jeane Kirkpatrick**.

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"There's a 10-pence fine every time you say, 'It's the end of an era.'"

■ CNBC announces that *Free to Choose '90*, an updated version of **Milton Friedman**'s TV series on free enterprise, will be run on five consecutive Sundays, starting February 10, 1991, at 9:00 P.M. **Arnold Schwarzenegger** will introduce the first program. . . . *Cuba and Cocaine*, a PBS Frontline documentary that ties the Cuban government to drug-running operations in the Eighties, will air on Tuesday, January 29, at 9:00 P.M. on most PBS stations. . . . *Life*'s Special Issue on "100 most important twentieth-century Americans" mentioned **Betty Friedan** and **Billie Jean King**, but not **Clare Boothe Luce**. . . . Our pick of **P. J. O'Rourke**'s new enemies (in his updated Enemies List in *American Spectator*): "anybody associated with any movie that has been described as 'the best movie ever made about Vietnam.'" . . . Our favorite post-election comment, Democratic analyst **Mark Shields**'s about **Eleanor Holmes Norton**, who was elected D.C.'s non-voting representative in the House despite her much-publicized failure to pay city taxes for eight years. It was a case, said Shields, of "representation without taxation."

■ What is Latvia to do with the dozens of statues of **Lenin** that dot its fair towns and cities? The *Chicago Latvian Newsletter* suggests that "all the standing, sitting, pointing, and gesturing Lenins be brought into one place to create a Lenin theme park"—Red Flags over Lenin, perhaps?

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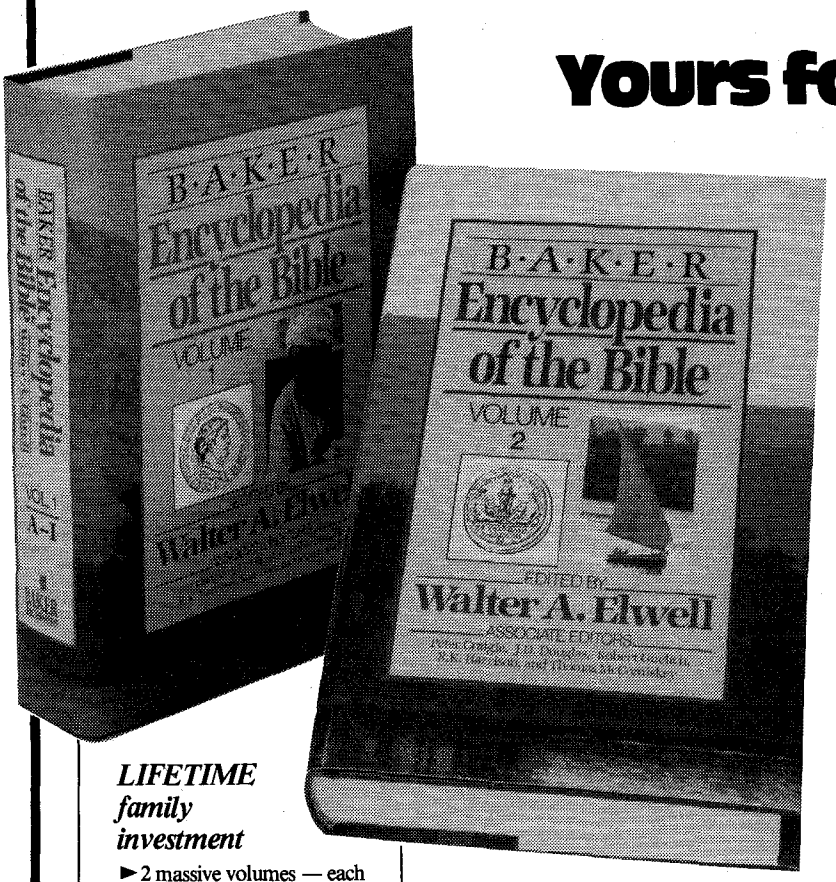

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THE WEEK

■ Say, can Mike Dukakis still drive that tank?

■ At the same time as the White House continues to crack the heads of House Republicans who opposed the bipartisan tax package, the Democrats who supported the bill are revising the rules to make it partisan. One of the selling points for the final package was that the Administration's budget office would decide whether any proposed bill was within the deficit-reduction requirements. But now the Democrats are aiming to pass a rule wresting that power away from the Administration and giving it to the Congressional Budget Office and the Joint Tax Committee—rather like letting your ten-year-old decide what his allowance should be. "This is a gross violation of the agreement before the ink is even dry," said Representative Bill Frenzel (R., Minn.), ranking Republican on the Budget Committee, in a letter to his GOP colleagues. "If this rule is adopted, no Republican can ever trust any agreement, however insignificant, made with Speaker Foley, Majority Leader Gephardt, or Chairman Panetta."

■ But why peer into a crystal ball when you can read the book? A recent *New York Times* headline read: "Puzzling Budget Miscalculation Puts Tight Lid on U.S. Domestic Spending for 1992." The "puzzling" question, it turns out, was why domestic programs were allowed such gargantuan spending increases in fiscal 1991: 14 per cent at the Departments of Health & Human Services, Labor, and Education, an 18 per cent rise in federal highway spending, and 9 per cent more for water projects. As a result of the 1991 spending orgy, "hardly any money would be available for new domestic initiatives" in fiscal 1992. (But see previous paragraph.)

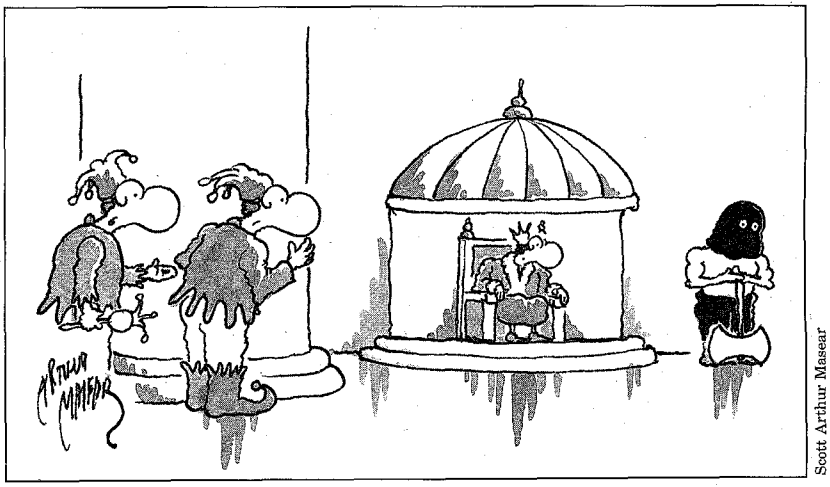
■ Entering the great debate of the 1990s, Representative Richard Gephardt has accused the GOP of opening racial divisions by raising the issue of racial preference. He sought to clarify matters further by bringing in the name of David Duke. But quotas are a valid issue. It might be possible that a respectable case could be made in favor of them. But their proponents never make one. Instead, they deny that requiring employers to hire minority workers in proportion to their numbers in the community amounts to quotas; and they denounce anyone who maintains the opposite as a closet supporter of David Duke and thus a racist. If Mr. Gephardt would really like to make a genuine case for "affirmative-action goals" or whatever, he should challenge Bill Bennett to a debate on national television. Go ahead, Dick. Make our day.

■ Incidentally, if "quotas" is a code word for racism, what, please, is the code word for quotas?

■ A new directive of the Federal Office of Government Ethics (*surely* you knew we had a Federal Office of Government Ethics) forbids federal employees to take payment for any speech or article, even if the subject is completely unrelated to their work. The order "steps all over my rights," complains Jan Adams Grant, who works in—whaddaya know!—the Internal Revenue Service (where stepping all over people's rights is not exactly unheard of). On the one hand, the rule is oppressive and irrational. On the other, maybe it will teach our rulers how it feels to be on the receiving end. Let's just say they've been hit by friendly fire.

■ Had this rule been applied earlier, we would not have had the works of: Nathaniel Hawthorne, customs agency; Herman Melville, U.S. Navy; Henry and Charles Francis Adams, diplomatic corps; Lewis and Clark, government surveying project; Benjamin Franklin, U.S. Mint; Anthony Trollope, British post office; and Edward Gibbon, who wrote *Decline and Fall of the Roman Empire* while employed by the British Board of Trade.

■ The banks are in trouble. By reducing reserve requirements Alan Greenspan has freed up $13 billion for new lending, increasing bank profits by $1 billion. But the additional funds will be more than offset by higher deposit-insurance premiums slated to



Scott Arthur Masear

"The king's not too hard to please. It's the censor that worries me."

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take effect next year. And Mr. Greenspan's push for easier credit may be nullified by another regulatory branch. Word is that the Comptroller of the Currency, Robert L. Clarke—known as "the regulator from hell" for his toughness—is a bit too tight on the credit side of the ledger, and that Chief of Staff John Sununu is looking for a replacement. In the short term, however, banks will probably continue to report big losses, forcing risk-wary investors to demand high interest rates on bank CDs, which in turn will force banks to keep their commercial interest rates high just as the Fed wants them lowered. Real relief may have to await Treasury's radical restructuring plan for the banks, scheduled to be made public early next year. Too many banks are chasing too little business in this country—the legacy of subsidized deposit insurance. But restructuring banks in an illiquid system is like breeding fish in a leaking tank. More die than is necessary.

■ THERE GO MY FOLLOWERS, I MUST LEAD THEM. The *New York Times* headline read: "Foes of Apartheid Rethink Sanctions: Mandela Tells Europeans His Group Is Consulting Allies on Lifting Measures." It appears that Western European leaders are becoming increasingly uncomfortable with maintaining sanctions, given the pace of change in South Africa over the past year. For their part, Nelson Mandela and the ANC—whose great triumph was having persuaded the Western world to institute sanctions despite the evidence that they would hurt South African blacks more than they would hurt South African whites—do not want to appear to have lost control of world opinion. Hence the plea to the Western nations to postpone a change until the ANC has had time to tell them to go ahead.

■ Saddam Hussein has an unexpected and welcome new ally in the National Organization for Women, which calls for the withdrawal of American troops from the Gulf on the grounds that Iraq is nicer to chicks than Saudi Arabia is. Call it an equal-oppression regime.

O Tannenbaum

O Christmas tree, O Christmas tree,
  Is Richard Darman leaving?
Newt's itchy as Penelope
  Unraveling her weaving.
Yet Mr. Darman hangs around
Like Baskerville's unpleasant hound;
Will someone kindly call the pound?
  More than the Beltway's heaving.

W. H. VON DREELE

■ The militant homosexual group ACT-UP, impeded by a court order, protested fairly quietly at Sunday Mass at St. Patrick's Cathedral in New York. Oh, there were a few desecrations of the Host, and a lesbian couple pointedly hugged and kissed during the service. But on the whole, the media found their behavior discreet, and treated them with suitable moral deference. Tough-guy columnist Mike McAlary of the *New York Post* edged from moral equivalence to blaming Cardinal O'Connor for all the trouble: "What matters most is this—during the course of a ninety-minute Mass, O'Connor did not once utter the word 'AIDS.' And that oversight is as sad and reckless as spitting a Host to the ground." Yeah, sure. And get this: "Ultimately, ACT-UP is helping to kill the very cause it seeks to advance—the right of all people to do what they want behind closed doors. This freedom should hold for the closed doors of the cathedral as well as the closed doors of the bedroom." Now that's what we call fraternal correction.

■ If you have a health-department-approved, $8,000 stainless-steel cart, a state-sanctioned commissary to garage it in and truck to move it with, a city business license, a state sales-tax permit, and only three city permits, you can sell hot dogs on the streets of San Francisco, provided you're not within six hundred feet of somebody else doing it. America: the land of opportunity.

■ Paul Ehrlich, author of *The Population Bomb*, has won fame predicting that population growth and finite natural resources will inevitably produce disaster—mass starvation, industry grinding to a halt for lack of raw materials, etc. He calls his most prominent critic, economist Julian Simon, a "fringe character," answering Simon's argument that human ingenuity is the real source of value and will overcome any shortage with papers such as "An Economist in Wonderland." In 1980 Ehrlich took up a standing Simon offer: the ecologist chose five natural resources which he bet would become more expensive as population grew and finite resources were consumed. He lost $576.07. Over the last ten years, while the world population grew by over eight hundred million, the real price of tin fell 72 per cent, of chrome 40 per cent, of tungsten 57 per cent, of copper 18 per cent, and of nickel 4 per cent. He would have lost on just about any commodity—wheat, rice, even oil. Ehrlich insists his views are fundamentally sound, but won't go double or nothing.

■ This year's National Book Award for fiction went to Charles Johnson for *Middle Passage*, a novel tracing the odyssey of a freed slave. Three of the five-member awards panel said they were looking for particularly "innovative, socially conscious" authors.

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To judge by his first post-award interview, however, it may be that in its haste to select a socially conscious writer the panel accidentally chose an intelligent and modest one, too: "I find it difficult to swallow the idea that one individual, black or white, can speak for the experience of thirty million people. Some of whom, you know, their great-granddaddy was a slave, but some of whom, their families have been free since the Revolutionary War. . . . We have black millionaires, and we have black people whose families have been on welfare for three generations. . . . So the idea of being a spokesman for something, I find repulsive." As for the idea of "Afro-centric" education, Mr. Johnson told the *Washington Post*, he once favored that approach, but "I just didn't feel comfortable with that. I began to see it as ideology, not something that a serious student of philosophy, or a serious artist, could hold and still create freely at the same time." If Mr. Johnson persists in such sentiments, a possible sequel might be *Final Passage*, tracing the odyssey of a promising black author who defies racial stereotypes, only to find himself suddenly ostracized by the literary world.

■ Even Madonna can get oversexed. Chicago radio station WKQX claims that the composer of "Express Yourself"—who declared that "freedom of speech is as good as sex" in MTV's "Rock the Vote" effort—did not herself bother to vote. In fact, says WKQX, she didn't even register. NATIONAL REVIEW welcomes this espousal of abstinence.

■ Bumpersticker for the Nineties: DON'T LET BUSH BE BUSH.

On the Brink

SADDAM Hussein has begun to release the hostages as we write. We hope he will allow them all to depart. That would not diminish in any way the wrong he has inflicted on them and their governments, nor should it lessen our outrage at his behavior. Still, thousands of innocent people will now escape the shadow of death—and American war planners can proceed to target their enemies without fear of killing American, European, Japanese, and other civilians. This is no small advantage, and one that Saddam may come to regret.

The other welcome story concerns George Bush. His reaction to the hostage release was perfect—welcoming back Saddam's prisoners, but immediately warning that this move in no way brings the crisis closer to resolution. Indeed, the President's demeanor and manner have, typically, said more about his resolve than his sometimes clumsy words. The grimness in his face, the way he assured a questioner at his news conference that American troops would go into battle backed by a President resolved to win, his casual remark that the point of this exercise is to make sure that Saddam loses face—all these bespeak a President who has worked his way through to a lonely choice. George Bush has many flaws, but he has one great attribute: the steel that enables humane men to fight necessary wars.

Would that his statecraft matched his will. The Administration made four appalling errors in the last fortnight. Without consulting anyone but its most senior members, it decided to invite the Iraqi foreign minister to Washington, and to send James Baker to Baghdad. The results were predictable, and would have been obvious to any save a group of three or four men whose similarity of temperament and outlook makes them unable to detect one another's errors of judgment. Our Arab allies took it as a sign that we were preparing to cut a deal with their mortal enemy; our foes (and perhaps others as well) took it as evidence that Saddam was indeed a big man with whom the Americans had to parley as an equal; the American public, bewildered by an Administration that has yet to come up with a compelling case for what it wants to do, assumed that peace was at hand. Having spent four months worshipping at the false idol of international solidarity, the Administration suddenly decided to appease its domestic critics by this maneuver. It alienated almost every foreign ally, who felt either betrayed, or humiliated, or simply baffled by politicians who proclaim the virtues of consultation and alliance and then shrug them off without a thought.

Prior to this blunder, the Administration had managed to destroy one of its own better cases for attacking Iraq: the long-term (five- to ten-year) Iraqi nuclear-weapons program. Assuming, in the way of supercilious bureaucrats, that the American people were too stupid to understand that this might be our only, or at least our best, chance to forestall catastrophe a few years hence, the Administration began talking of the danger of an Iraqi bomb in a few months. Even its own experts had to confess that this was not, in fact, a serious concern, and with exquisitely awkward timing the inspectors of the International Atomic Energy Agency reported that the Iraqis had not diverted the nuclear materials that they are known to possess.

Thirdly, and perhaps most dangerously of all, the Administration allowed Senator Sam Nunn to savage its strategy with a stacked set of hearings. Former Secretary of Defense James Schlesinger, forgetting his earlier assertions that sanctions would never work, declared with his unique brand of ponderous certainty that sanctions would bring Saddam to his knees. Nunn then summoned two former chairmen of the joint chiefs of staff, Admiral William Crowe and General David Jones, who had spent the

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latter parts of their military careers blocking any use of force by Presidents who might have labored under the misapprehension that armed forces exist to fight as well as to deter. These instant Middle East experts, ignoring Saudi pleas to use force to deal with a mortal threat to their existence, assured the senators that a standoff could be sustained indefinitely. The Democrats in the Senate (and to a much lesser degree in the House), in a characteristic display of fecklessness, pontificated about the need to let sanctions work—but were noticeably less than anxious to set firm deadlines, to cut off the funds needed to launch an offensive war, or in any other way to take responsibility for a course of action.

Finally, the Administration has spooked Congress —and even many of its friends—by letting it be known that if war comes we will probably fight *à la* Verdun. Testimony about decisive wins involving an early and massive use of ground forces chilled Americans, who wondered why, given terrain suited to air power, and given the enemy's skill at the tactical defense, America's generals seemed to prefer a short bombardment followed by a push straight at a dug-in foe. The answer appeared to lie in the army's memories of Vietnam, and its conviction that should war last more than a few weeks the American people would—once again, as it thinks—betray it. It is a misreading of the Vietnam War, of course, and a profoundly unhealthy frame of mind for an army to have, but there it is. Moreover, the natural opponents of this view—particularly those in the air force who suspect that a prolonged air campaign could do much of the job—were silenced by the memory of what had happened to General Michael Dugan earlier this fall. Having seen one messenger shot, few are eager to step into his place.

The result of these four blunders was to make a strong case weak. Indeed, it is remarkable that—despite the Administration's blunders and the craven sniping of Senate Democrats—the American people still believe, by a 2 to 1 margin, that force should be used to deal with Saddam. Had the Administration asked Central Casting for a Mideastern villain it could have come up with no one better than Saddam, a man who does not yet have Hitler's resources, but whose character is not noticeably different.

By mid December we stand on the verge of an appalling setback for American foreign and security policy. Let us be blunt. If this crisis ends with Saddam in power, his revenues restored, his position enhanced even by symbolic concessions (e.g., UN resolutions on the Arab–Israeli dispute that are linked to the Iraq crisis), we will have suffered a catastrophic defeat. American credibility will cease to exist; regimes friendly to us in the Middle East will succumb to a greater-than-Nasser leader cult; war, including chemical, biological, and nuclear war, will break out in that part of the world within the decade. *Pace* the neo-isolationists, we will not find it possible to insulate ourselves from those eruptions.

The time is short, and the consequences are enormous. The moment of decision approaches; we hope that the Administration will recover, and rise to its ordeal.

The Duty of Silence

IN AN extension of an extension of *Miranda*, the Supreme Court has practically ruled out confessions. *Miranda*, in 1966, held that if a suspect in police custody was not informed of his right to have a lawyer present, any incriminating statements he might make would be inadmissible in court. *Edwards*, in 1981, added that suspects must actually consult with their lawyers before they are allowed to confess. Now, by a 6 to 2 majority (Scalia and Rehnquist dissenting, Souter ineligible to vote), the Court ruled, in *Minnick* v. *Mississippi*, that the confession of Mr. Minnick, who admitted to killing two people in a mobile home after escaping from jail, was invalid, even though he had been read his *Miranda* rights, and even though he had already consulted with his lawyer. Why? The lawyer was not present at the time he actually made the confession.

So legal theory takes another step in the direction of games theory. *Miranda*, whatever criticisms conservatives have made of it over the years, was at least intended to remedy an abuse in the real world: the extraction of confessions by violence or coercion. *Minnick* will make it almost impossible to convict, on the basis of a confession, anyone who is not perversely determined to establish his own guilt. Conservatives had hoped that three Reagan-appointed Justices would be enough to deflect the Court from such proceduralism gone mad. In vain. Too bad the people in the mobile home didn't have a lawyer present when they were killed.

GATTastrophe

THE URUGUAY ROUND of trade talks was slated to end in early December, four years after it began. But the predicted last-minute breakthroughs in agriculture, services, intellectual property, and other big-ticket items on the trade agenda never materialized. Now is the time to stop the clock and let tempers cool.

And to be thankful for what we don't have. Many observers expected the negotiators to hammer out a last-minute "mini-agreement"—something, anything, to justify their drawing a salary over the past four years. But a weak agreement would have been

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worse than none since it would have legitimized the unilateral trade barriers and discriminatory trading blocs which already threaten the world's multilateral trading system. At least the present hiatus gives the negotiators time to recharge their batteries for the new year.

The benefits of success are well known. Calculations by the Office of the Trade Representative show that a one-third reduction in manufacturing-trade barriers would increase the combined GNPs of the U.S., Canada, Japan, and the European Community by $4 trillion through the year 2000—with $1.1 trillion of this occurring in the United States. Even in the (unlikely) event that the numbers are off by 50 per cent, failure would effectively deprive the world of an economic stimulus equal to one-third the annual output of the United States.

Indeed, the superiority of free trade is one of the few tenets of economics on which conservatives and liberals generally agree. So why is the enormous group of potential beneficiaries—the world's consumers—no political match for a few well-organized special-interest groups?

Take the situation in the European Community,

RIGHT DATA

Can Sanctions Work?

DEFENSE SECRETARY Cheney says no. President Bush has lost patience with them. The *Wall Street Journal* reports that smugglers are flourishing along Iraq's borders with Turkey and Iran, undermining the UN's embargo.

But at least one group of economists thinks that this embargo has a far better chance of working than most. In the recently revised edition of *Economic Sanctions Reconsidered*, Gary C. Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott of the Washington-based Institute for International Economics conclude that Iraq's GNP is likely to decline by 48 per cent as a result of the sanctions. By comparison, none of the 115 other sanctions in this century reduced the target country's GNP by even half that amount, and the average for successful sanctions has been only 2.4 per cent. (Sanctions imposed upon South Africa cost it less than 1 per cent of GNP, according to the study.)

The overall success rate for economic arm-twisting is not good, however. According to the Institute's historical analysis, only 34 per cent of previous sanctions succeeded in realizing specific foreign-policy goals. Since 1973 the success rate has been still lower, reflecting the declining economic dominance of the U.S., which has been by far the most frequent user of economic sanctions (77 of the 115 cases).

Of course, the post-cold-war environment has produced an unrivaled degree of unanimity: 100 per cent of Iraq's foreign trade is affected versus an average of 36 per cent of the target country's trade in previous successful sanctions. Countries whose support of the embargo might be expected to waver—Jordan, Yemen, Libya, and possibly Iran—accounted for a minimal portion of Iraq's pre-invasion trade.

Smuggling is unlikely to affect the outcome since smugglers do not give credit, and Iraq is short on cash. The seizure of Kuwait netted perhaps $400 million in gold and $10 to $15 million in foreign currency at the Kuwaiti central bank—enough to pay for about one month of imports. The big money was abroad, but Saddam failed to move fast enough: the foreign assets of both Iraq ($4 billion) and Kuwait ($100 billion) were frozen before he could transfer them.

Despite eight years of war, Iraq's ability to endure economic hardship has not been tested. Massive borrowing from abroad along with outright gifts from the Persian Gulf states that felt threatened by Iran—including Kuwait—cushioned the economy during the war. The U.S. chipped in with $8 billion in agricultural-export subsidies. The ready availability of cheap food imports (nearly half from the United States) along with two decades of collectivized agriculture under the socialist Baathist party has left Iraq dependent on imports for three-quarters of its food. Food reserves were reportedly lower than usual before the invasion, another sign of Saddam's failure to anticipate the international reaction.

"Success," as defined by the authors, is a relative term. Only five of the 41 "successes" were unqualified victories in which all demands were met. The rest were partial victories in which some goals were attained, possibly with the aid of factors other than sanctions. As for the current situation, the authors are "relatively optimistic that sanctions will contribute to a positive outcome—the withdrawal of Iraqi troops from Kuwait, the release of all hostages, and the restoration of a credible, independent government in Kuwait—but not the complete defeat of Saddam Hussein." The authors believe that some payoff to Saddam—perhaps the Rumalia oil field or the forgiving of Iraq's war debt—may be needed to resolve the dispute without bloodshed.

—Ed Rubenstein

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where governments allow the 4 per cent of the population who live on farms to extract subsidies worth $125 billion per year from those who do not. Anything beyond a modest reduction, the Europeans say, would destroy Europe's picturesque countryside by bankrupting farmers. That is, of course, nonsense. The U.S. has for years suggested decoupling income support for farmers from the farm programs that distort output, prices, and international trade patterns. The EC is replying to a proposal that no one is making.

The U.S. is not entirely blameless. After pontificating on the need to liberalize trade in services, the U.S. representative pushed for special treatment (read: "protection") for the telecommunications, shipping, and aviation sectors. But at least the United States, supported by most of the world including its 14-strong "Cairns Group" of agricultural producers, was willing to compromise.

The political power vested in mere trade ministers may not be sufficient to cut this Gordian knot. A comprehensive trade agreement may require a working summit of heads of state. That's well worth stopping the GATT clock for. And worth threatening the European Community with real retaliation if it continues to be obdurate in its attachment to an agricultural protectionism that has gone beyond a folly to a scandal.

Winter in Moscow

TODAY's leading films in Moscow are *Gone with the Wind* and *Rambo*. In foreign hotels, where it used to be impossible to find a non-Communist Western publication, it is now impossible to find anything published in the Soviet Union. At mealtimes, the line for the McDonald's on Pushkin Square is longer than that for the Lenin mausoleum, and the graffiti which have blossomed on urban walls are explicitly pro-American. In Leningrad, for example, a motto spray-painted in English on a building near the railroad station reads: "America is number one—and don't you forget it!" To all outward appearances, the former citadel of the Revolution has surrendered totally to the blandishments of the West.

But has the Soviet Union changed as much as it appears? Nothing is more widely discussed in the Soviet Union today than the transition to a market economy. At the same time, however, not a single meaningful step has actually been taken to establish a free market, and, despite the Russian Federation's new statute making it legal for private persons to own land, there has been no move to create the indispensable corollary of land ownership, a free market in land.

Perhaps more important, the Soviet Union is becoming superficially more liberal, but in its depths, it remains a country without law. Despite the talk of removing the Communist Party from the day-to-day affairs of government, there has been no move to depoliticize government organs, including the organs of law enforcement, which remain under the influence of their Party organizations. In cities and towns across the Soviet Union, the members of the local elites form a tightly knit mutual-aid society as they provide goods and services to one another on the basis of their access to sources of supply. The judges and procurators are part of this local mafia, and even under conditions in which they have been given their "independence," they have no desire to undercut the network of connections which assures their standard of living.

The result is that an individual factory worker who suffers an injustice at his place of work has nowhere to turn for redress. Five years after the onset of *perestroika*, with its supposed goal of a state based on law, the number of complainants or "truth seekers" who descend on Moscow to seek redress because they cannot find justice at home has gone up, not down. One sign of this is the wood and cardboard shantytown that has been erected by truth seekers and refugees in front of the Rossiya Hotel.

The question of the rule of law is particularly relevant now as the West debates whether to send emergency food aid. No one wants to impose further hardship on the long-suffering Soviet population, but for the aid to be effective, it must reach its intended recipients without the interference of the local mafiosi which the lawless situation in the Soviet Union permits. Under the circumstances, food aid could also serve a political good by circumventing the established structures of power. This can be done by ensuring that such aid remains in Western hands at every stage of the distribution process.

The Soviet authorities may talk of markets, but without the rule of law—specifically the establishment of truly independent parliaments and an independent judiciary—such talk resounds hollowly.

Deck the Halls

Deck the barn, here comes Sununu
(Everybody, fa-la-la-la-la);
He's the bull they all say "Moo" to
(Sing a fa-la-la for each faux pas);
When they're bad, he tweaks an udder
(Fa-la-la, la-la-la: oh, mam*ma*!),
Which is why they often shudder
(Fa-la-la-la-la, et cetera).

W. H. VON DREELE

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Poor Show

LECH WALESA is now the fourth-ever popularly elected president of Poland, but the election campaign left a nasty taste in many Polish mouths. Stanislaw Tyminski, the controversial businessman who defeated Prime Minister Tadeusz Mazowiecki in the first round, was rightly defeated. He was, in effect, the beneficiary of a protest vote against both the Walesa and the government wings of Solidarity, against the transitional pains of economic reform, and against reality. His initial success was a sign of Poland's democratic immaturity. But so was the way in which his challenge was eliminated. In a normal democracy, the bias of the government-controlled television, the hysterical attacks on Tyminski by journalists, and the strong-arm methods used by Walesa's supporters would have been regarded as a scandal.

None of the charges against Tyminski—that he was sent abroad by Poland's military intelligence, for example, or that he traded children in Peru—were ever proved. There was never any proper confrontation with Tyminski and his ideas. He was dismissed without being examined.

This was a failure by Poland's political class in its first exercise in democracy. Polish dissidents were courageous and noble in their long struggle against Communism, but they have not wholly escaped the totalitarian mentality. Instead of being Poland's spokesmen—and heirs to a democratic political culture that the Communists tried to suppress—the intellectuals have shown themselves to be just an interest group, as greedy for power as any other, and self-righteous to boot.

Fortunately for Poland, the man who won, Lech Walesa, is no intellectual. In Walesa, Poles have chosen a leader whose entire life testifies to a preference for pragmatic action over doctrinaire theories. On the path to the free market and the rule of law, East–Central Europe's emerging democracies need decisive leadership. It is a bonus if the men who take on the burden of leading them out of crisis can also claim a democratic mandate and popular support.

The Last Consumer Item

DR. JACK KEVORKIAN can say he's not pro-death; he's pro-choice. It's just that the choice he helps people make is death.

Dr. Kevorkian has now been indicted for first-degree murder in the death of Janet Adkins last June. He hooked her up to his homemade "suicide machine" and she pushed the appropriate buttons. She had been suffering from Alzheimer's, heard about Dr. Kevorkian's device, and flew from Oregon to Michigan to engage his services in the back of his Volkswagen van. Her husband pleaded with her not to do it but made no attempt to stop her.

It's easy to denounce Dr. Kevorkian. (And altogether appropriate.) But it's unsettlingly hard to argue against him in an officially secularized society that no longer attaches intrinsic value to human life in any unambiguous way. If life is for comfort and pleasure, why not end it when it becomes painful? If abortion is a right, why not euthanasia, where the choice (at least sometimes) is exercised by the victim? Who dares affirm both a right to life, and a duty to live?

Dr. Kevorkian has clearly gone too far for American society at this point; part of its hedonism lies in its refusal to face the implications of the principles it has already adopted. Dr. Kevorkian is rushing us along, because he sees those implications and wants to embrace them, proselytize for them, even perhaps market them. That's called being ahead of your time. It is not always a compliment.

Norman Cousins, R I P

THE DEATH of Norman Cousins doesn't seem quite right. If he had perished in an international nuclear war, it would be easier to accept. And then ten years ago, Mr. Cousins thought himself slated to die, and avenged the mischievous and hungry reaper by taking massive doses of Vitamin C, training himself to laugh, writing a book on the subject which of course became a best-seller, and joining the School of Medicine at the University of California in Los Angeles to do research on the biochemistry of human emotions, which of course produced more books.

The political world knew him as the editor of *Saturday Review*, as the president of the United World Federalists, and chairman of the Committee for a Sane Nuclear Policy. In a recent essay Cousins tells us how as a little boy he set out "to discover exuberance." At Columbia, he studied with John Dewey, William Heard Kilpatrick, and Goodwin Watson, and was moved by the pioneering muckraking of Lincoln Steffens. He had many high moments, but the best of these was when Albert Einstein called him to Princeton, where together they discussed the need for world federalism and for an arrest of the nuclear threat. Cousins was adamant in insisting that we could not reasonably hope to survive, unless the nuclear engine was disinvented.

I love this story. It was the heyday (late 1950s) of the Committee for a Sane Nuclear Policy. The operative axiom of the committee was that it was now a scientific certitude that we were bound for a nuclear

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holocaust unless we contrived the physical elimination of the means by which that holocaust would be brought on, and of course nobody got around, then or since then, to devising the means of persuading the Soviet Union to give up its nuclear arsenal. Well, then, we would all die—a great pity, Norman Cousins thought, as did others, since there is a lot to be said for staying alive.

At about this time, Mr. Cousins bought a beautiful house in New Canaan, Connecticut, and one day, at a dinner party at the new home, the host was seated next to an eccentric philanthropist (Louis Schweitzer), who later told me the story. "Norman was going on and on about the inevitability of nuclear devastation—a *certainty* within ten years, he said. And finally I couldn't stand it any longer, so I said to him, 'Norman, the newspapers reported the sales price of this new house of yours, $150,000. Now, I would like to give you a check right now for $150,000, in exchange for a deed to your house, effective ten years from now. By your reckoning you're getting my money in exchange for nothing.'" Norman Cousins changed the subject.

This is not to suggest that Norman Cousins was a phony. Far from it. He was the ultimate idealist. After Hiroshima, he suffered severely. "I experienced the deepest guilt over [the bomb's] use on human beings." He struggled with metaphysics ("The basis of our existence is not just in thought, as Descartes believed, but in the fact of universal imperfection"). He rejected the nihilism of the age, but would come no closer to God than to agree that planetary life was an "imperfection" in the "universal vacuum."

He was a brilliant editor, a prolific writer, truly the man engaged. He was surpassingly generous, and I mourn his passing, while, at this juncture, only discreetly pleased that his prophecies were not fulfilled, and that we continue to live in a world that does not report in to a single capital. —WFB

Aaron Copland, R I P

NINETY YEARS OLD when he died in December, American composer Aaron Copland had stopped writing music about twenty years ago. By that time, his great work had already been done: in *El Salón Mexico* (1936), *Billy the Kid* (1940), *Rodeo* (1942), and *Appalachian Spring* (1943-44), Copland provided our country with a brilliant symphonic music at once recognizably classical and demonstrably popular. At his best he was the American composer *par excellence*, combining jazz rhythms and European musical forms in a way that miraculously evoked city clangor and prairie loneliness. Copland did more than make a kind of consciously willed folk ethos. He was also our best exemplar of high musical modernism: with the Piano Variations (1930), the Piano Quartet (1950), and the now little-played *Connotations* (1961-2), he created an intellectually based, but nonetheless deeply felt, music of our time. In the 1930s and for some years thereafter, Copland was attracted to the trendy left-wing politics so ruinously attractive to artists and writers over the last century. But his politics did not reflect his music, and his music most assuredly did not reflect his politics. The son of immigrant parents, Copland spoke as a musician for America, and for music. With his death, even more than with the deaths of Leonard Bernstein this past fall and Virgil Thomson in 1989, something distinctively our own in music and in art has passed into history.

—SAMUEL LIPMAN

NOTES & ASIDES

■ Dear Mr. Buckley:

A few weeks ago I heard on the radio an advertisement for the New York Police Department touting its career opportunities and ending with an asseveration, "equal opportunity affirmative action employer." Is this hyperbole, oxymoron, oxybole, or hypermoron?

Very truly yours,
Edward C. Cerny III
New York, N.Y.

Dear Mr. Cerny: It is, *pace* Harold Ross, indescribable. Cordially, WFB

■ Dear Bill:

I enclose a gem of economic history, "The Khaldûn Curve," brought to my attention by a friend and colleague, Professor Ken Louie. It may be that Professor Galbraith amused many with his comment that "it resembles a wishbone, both in fact and in theory," but it now seems that Ibn Khaldûn has shown us that he who Laffers first Laffers last.

As always,
Chet Wolford
Department of English
University of Pennsylvania
Erie, Pa.

We Three Kings

Here they come, those Democrats who
Pray to God the good times are through;
  Leftward-leading, still proceeding,
Hunting the well-to-do.

W. H. VON DREELE

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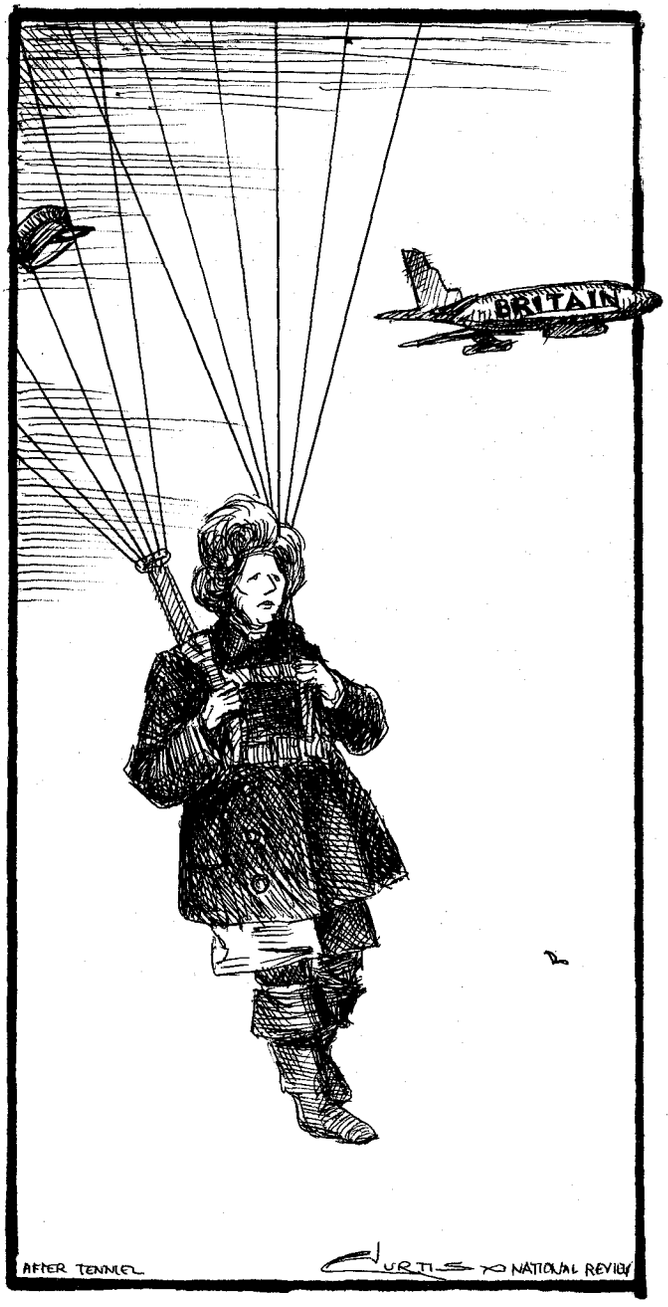
The Khaldûn Curve

It should be shown that at the beginning of a dynasty, taxation yields a large revenue from small assessments. At the end of the dynasty, taxation yields a small revenue from large assessments.

The reason for this is that when the dynasty follows the ways of Islam, it imposes only such taxes as are stipulated by the religious law, such as charity taxes, the land tax, and the poll tax. These have fixed limits that cannot be exceeded.

. . . Therefore, the individual imposts and assessments, which together constitute the tax revenue, are low. When tax assessments and imposts upon the subjects are low, the latter have the energy and desire to do things. Cultural enterprises grow and increase, because the low taxes bring satisfaction.



Dropping the Pilot

When cultural enterprises grow, the number of individual imposts and assessments mounts. In consequence, the tax revenue, which is the sum total [of the individual assessments], increases.

When the dynasty continues in power and their rulers follow each other in succession, they become sophisticated. The Bedouin attitude and simplicity lose their significance, and the Bedouin qualities of moderation and restraint disappear. . . . As a result, the individual imposts and assessments upon the subjects, agricultural laborers, farmers, and all the other taxpayers, increase. Every individual impost and assessment is greatly increased, in order to obtain a higher tax revenue. . . . Eventually, the taxes will weigh heavily upon the subjects and overburden them. . . .

The result is that the interest of the subjects in cultural enterprises disappears, since when they compare expenditures and taxes with their income and gain and see the little profit they make, they lose all hope. Therefore, many of them refrain from all cultural activity. The result is that the total tax revenue goes down, as individual assessments go down. Often, when the decrease is noticed, the amounts of individual imposts are increased. This is considered a means of compensating for the decrease. Finally, individual imposts and assessments reach their limit. It would be of no avail to increase them further. The costs of all cultural enterprise are now too high, the taxes are too heavy, and the profits anticipated fail to materialize. Finally, civilization is destroyed, because the incentive for cultural activity is gone.

Ibn Khaldûn, The Muqaddimah *(the introduction) (1377). Translated by Franz Rosenthal; edited and abridged by N. J. Dawood (Princeton, N.J.: Princeton University Press, 1967), pp. 230-31.*

■ Dear Mr. Buckley:

My wife, who teaches the third grade, had her students compose an essay for the local newspaper's writing contest, which was entitled, "If I Ruled the World." One you might be interested in went something like this: "If I ruled the world I would be like Zorro and rob from the rich and give to the poor. I wouldn't really steal the rich people's money. I would just raise their taxes and give part of it to the poor people. Then I would stop AIDS and PMS with the machines I would buy with the other part of the rich people's money."

Best regards,
Cecil Kuhne
Amarillo, Tex.

Dear Mr. Kuhne: That little boy is destined to be Speaker of the House! . . . Might you interest him in emigration? Cordially, **—WFB**

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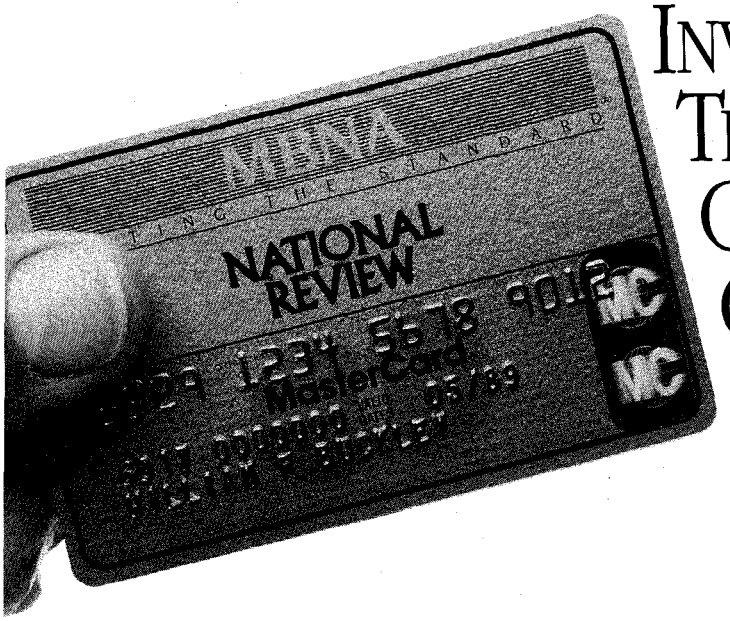

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ON THE SCENE

Don't Squeeze the Darman

WILLIAM McGURN

Janet Hamlin

WASHINGTON, D.C.

THE DATE was November 5, 1990, and Richard G. Darman was madder than he'd ever been. The painfully concluded budget deal had to be signed by the President by midnight, and the director of the Office of Management and Budget had his heart set on a public ceremony. Bush had gone along with the budget but it was really Darman's baby. He'd fought for it. He'd won. And he wanted everyone in America to see.

The hitch was that November 5 was the day before the elections, and George Bush was out in Houston attempting to resurrect the campaign of Republican gubernatorial candidate Clayton Williams. On top of this, the budget didn't come in until about eight in the evening. So Dick Darman was denied his moment of prime-time glory, and all he could think of was that "they" had screwed him out of it. "If you're going to sign the budget in the dead of night," he complained, "then you shouldn't have public signings for everyone."

How galling that must have been, after all the careful preparations. For months Darman had virtually controlled the budget process. At one point in the talks at Andrews air base, most of the White House representation didn't even know what their side was offering—they had to get copies from outside lobbyists. Afterward, when the deal was closed, Bush requested two separate sheets from OMB, one listing the pros of the deal and the other listing the cons. He got back only one sheet: the pros.

He's a clever one, that Darman, with his 800 math SAT score and Harvard pedigree. But there's the rub. Anyone can make mistakes, but only the very smart are capable of the hubris that leads to blunders. Putting everything on the line for a budget deal no one liked was only a mistake. The blunder was publicly rubbing everyone's nose in it.

This came on November 16, when Darman delivered a speech before the Council for Excellence in Government called "Neo-Neo-ism: Reflections on Hubbleism, Rationalism, and the Pursuit of Excellence (After the Fiscal Follies)." It was a quintessentially Darmanesque performance, a bubbly melange of cutesy metaphors and intellectual jousting. On the surface it was an attack on the packaging of everything as a "new idea" (one target was what he called the "New Newtism," after House Minority Whip Newt Gingrich, who doesn't have a Harvard degree and who bolted from the final tax package).

Had Darman left it at that, conservatives would have hollered, but no one else would have cared. But he went further, attacking something called the "New Paradigm." Outside the Beltway the term means nothing. But insiders recognized it immediately as the cornerstone of a speech a bright young White House staffer named James Pinkerton had given months before; he had been trying to flog the idea ever since, with little success. Until Darman attacked it, that is.

For the most part the New Paradigm is an academic version of the old, Kemp-style program of market-oriented empowerment gussied up for the post-Reagan era, and Darman was probably right about some of the semantic excesses. But it wasn't the semantics that bothered Darman, it was the substance, and by talking about the former he focused attention on the latter. Overnight Pinkerton was a star. Evans & Novak referred to him as representing the "reform wing" of the Republican Party. Gingrich said publicly that Darman would have to recant or get out. Most galling of all, Pinkerton received a flattering profile in the Style section of the *Washington Post*, the ultimate Beltway laurel. Pinkerton was "in," Darman "out."

How could Darman, normally so precise in his calculations, have blown it? Nearly everyone attributes it to ego. "Imagine yourself as Dick Darman," says one Republican official. "Here you are, a Master of the Universe, surrounded by all these morons. Then along comes this ant—Pinkerton—who has some ideas too. So you move to squash him."

"This was Dick Darman's version of *Home Alone*," says former National Republican Congressional Committee spokesman John Buckley. "The President was away, and" (like the ten-year-old in that movie) "Darman got himself into all sorts of mischief." It didn't help that the President had himself embraced the new paradigm in a speech to conservatives in April.

Feelings run highest in the House, which bore the brunt of White House bullying over the budget. One story going round the cloakroom has Darman saying, "The problem with House Republicans? There's too damn many of them." That may be apocryphal, but it shows the depth of resentment in the House. Representative Dick Armey (R., Tex.), sponsor of the House Republican Conference's no-new-tax resolution in June, makes it clear that getting rid of Darman is the necessary but not sufficient condition for a restoration of good relations. "Between now

Mr. McGurn is NR's Washington bureau chief.

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and the elections, George Bush has to find his way back to the Republican Party," he says. "I don't think he can come home with Darman next to him."

Gingrich has stopped short of that, but just short. Until he said Darman had to recant or resign, he hadn't heard from anyone in the White House since the budget talks; indeed, when he was going through a critical post-election recount that might have cost him his seat, the only ones to call him with support were Dan Quayle and Quayle's chief of staff, Bill Kristol. The morning Gingrich's statement about Darman being a "Republican Dukakis" hit the press, Darman called and the two have met for hours since then, but Gingrich is not backing off. "There's no middle ground on this," he says.

This creates all sorts of headaches for Bill Bennett, chairman-designate of the Republican National Committee. One of his conditions for taking the job (which doesn't happen until late January) is that the White House make peace with House Republicans. But it can't do that so long as Darman and John Sununu continue to exact their revenge. This failure in turn may put Bennett in the position his supporters feared: apologist for an Administration bereft of principle.

The main worry, however, is that even a wounded Darman might stick around long enough to do more damage; people here remember that OMB Director David Stockman hung on for almost four years after that damning article in *The Atlantic*. In fact, the rumor is that Darman is waiting for the Treasury slot to open up. Darman has a powerful fairy godmother in Secretary of State Jim Baker. And Bush jealously guards presidential prerogative.

"There are two things that don't move George Bush," says John Buckley. "One of them is press criticism, and I doff my hat to him for that. The other is conservatives, which I regret. Calling for Darman's resignation may only serve to give him lifetime tenure."

But the price of keeping Darman may be high, something Darman realized before anyone else. He's been busy mending fences, meeting with Jack Kemp after Kemp publicly accused him of making "a mockery of everything Republicans have believed for a decade." He's been meeting with Gingrich. He appeared at the Economic Empowerment Task Force meeting. And in early December he tried to make light of the whole flap by appearing in the White House mess sporting a "Fire Darman" button.

That doesn't seem to worry Gingrich. "All Presidents jealously guard presidential prerogative on personnel," he says. "Until the morning they wake up and find you're too expensive." □

Major Change

ANTHONY LEJEUNE

LONDON

AS BLUCHER said when he met Wellington on the field of Waterloo, *Quelle affaire!* The speed and ruthlessness with which Margaret Thatcher was toppled and replaced by the virtually unknown John Major has astonished everybody, in Britain and elsewhere. "It's a funny old world," she said, announcing her resignation to the Cabinet: and that was probably the mildest comment made throughout the whole bad business—for it is a bad business. Mrs. Thatcher was brought down, not by her political enemies or by a vote of the British people, but by a coup d'état within her own Conservative Party. Instant books are being written about what actually happened: but it would be hard to find any ordinary person who didn't think that the politicians behaved disgracefully.

The predictable call now from the new prime minister and party managers is for unity, no recriminations, a common front against the socialist foe; a call generally welcomed but not in one or two constituencies, which want the blood of anti-Thatcherite MPs who ignored their wishes. Meanwhile, the country has become strangely quiet, like the stillness at Appomattox or, less grandly, a crowded room when the most interesting, or at any rate the noisiest, person has just left.

Sir Geoffrey Howe, the deputy prime minister, whose resignation speech plunged the dagger in Mrs. Thatcher's back, was the most visible representative of a whole group within the senior ranks of the party whose ambitions had been frustrated and pride wounded by her autocratic manner of government. Some had already left the administration, while (as one commentator put it) she shouted, "Good riddance!" after them through the still swinging door. Meanwhile, a lot of rank-and-file Tory MPs were simply running scared. Frightened by the opinion polls, they thought they were sure to lose the next election if she remained in power, whereas they might win it under another leader.

We shall never know if their loss of nerve was justified. We shall never

Mr. Lejeune is NR's longtime London correspondent.

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even know if Mrs. Thatcher could have won the second round in the balloting for the leadership. Following her instant announcement, after the first round, that she would fight on (which was magnificent, but perhaps not war), she was persuaded to pull out by waverers in the Cabinet, calculations of support slipping away, and a kindly admonitory word from her husband, Denis. The consolation for Thatcherites is that she was enabled to leave, undefeated, with great dignity and courage. Her final performance as prime minister in the House of Commons won the admiration even of many who disliked her. Guilt-ridden Tories roared their applause.

Labor Party politicians, while scarcely gracious about Mrs. Thatcher's fall, have kept fairly quiet; or it may just have been that no one was listening to them. An exception was Jack Straw, the Labor Party's spokesman on education. "To have got rid of that evil woman," he said, "after all the damage she's done to this country—it's simply wonderful." Wine shops in North Oxford, where the dons tend to live, reported record sales of champagne: and many more bottles, I'm sure, were uncorked in the literary drawing-rooms of London.

FOR BRITAIN as a whole it was rather as though an aging monarch had been ritually slain: exhilarated attention focused immediately on the choice of a successor. Conservative MPs turned, with relief, to the excitement of chattering about, being wooed by, and ultimately voting for the three contenders—Michael Heseltine, Douglas Hurd, and John Major—whose campaigns swung so smoothly into action that they might almost have been prepared in advance. Many more pledges of support were soon received by the three of them together than the total number of Conservative MPs; the London *Evening Standard* calculated that around 150 separate lies must have been told.

When the technically inconclusive result of the first post-Thatcher ballot was announced, both Mr. Heseltine and Mr. Hurd, recognizing that John Major had effectively won, withdrew from the field with commendable speed and courtesy, leaving him to be crowned as the undisputable new prime minister. It was a surprising result—not so surprising at that juncture, but five days earlier I could hardly see why Major was bothering to put his name forward; the bookies had been quoting him at 20 to 1 against. In that short time he and his campaign managers overtook Heseltine, who had been preparing for so long to make a bid for power.

The psephological explanations are mainly to do with the tactics and determination of the "Stop Heseltine" camp. Major had the advantage of Mrs. Thatcher's backing, and he should be able to regain, quite easily, those Conservatives throughout Britain who could never have brought themselves to vote for the chief regicide. He is, according to several silly MPs who appeared on television with clichés at the ready, "a man of the people." His father, as we've been endlessly told, was for part of his career a circus and vaudeville performer. A politician with such an unusual ancestry ought not to be so dull: but dull is the impression Major gives. However, perhaps we should not underrate the constituency for dullness. Mr. Major looks and sounds like a suburban bank manager. And suburban bank managers are, or can be, reassuring.

He has included Mr. Hurd and Mr. Heseltine in his Cabinet, and given important jobs to several others on the left, or wet, wing of the party. Although most Thatcherites opted for him as the best bet for securing the survival of Thatcherism, it isn't really a very good bet, any more than Reaganism had much chance of surviving Ronald Reagan. This is more a matter of will than of policy. Mrs. Thatcher achieved what she did only by the exercise of an iron will—the obstinacy and autocracy of which her colleagues complained. Even so, she never succeeded in wooing the British public away from its addiction to welfarism and an easy sentimental approach to economic and social problems. Similarly in foreign policy, Mrs. Thatcher kept Britain so staunchly America's best ally, and resisted the intolerant ambitions of the Europhiles, only because her every instinct pointed her that way: her successor is unlikely to be so determined or even to have any such instinct.

Mr. Major is said to be dry on economic and wet on social issues. He claims to hate inflation above all things, which is no doubt true: but he will be under relentless pressure, especially between now and the election, to grease with taxpayers' money every wheel that squeaks. There will be much talk about "caring" and "compassion," words which are generally interpreted in a political context as a readiness to spend other people's money. Ominously, Mr. Major is known to revere the memory of Iain Macleod, who epitomized the postwar middle-of-the-road Conservatism from which the Thatcherite revolution broke away.

One of the first commitments of the new administration is to reform, or scrap, the hated poll tax. The trouble is that what renders the poll tax hateful is not so much its weaknesses as its principal virtues. It requires an equal contribution to the cost of local government from everybody, including people who formerly paid nothing and could therefore vote irresponsibly for cash handouts. Reform may be politically necessary but is philosophically depressing.

This will not worry Michael Heseltine, who has been put in charge of rethinking the tax. Nor will it worry Mr. Major, who is not an ideas man. A consensus Cabinet is, anyway, bound by nature to lean that way, softening not only the practical but the intellectual rigor of policy-making.

Partly in expectation of such reforms, but chiefly because a glare of limelight has been concentrated on the Conservatives, they have rocketed in the polls and are now actually ahead of Labor. John Major is enjoying a mild honeymoon, simply because he's a new face. Indeed there are mutterings in the Labor Party that it would do better if it ditched Neil Kinnock and got a new face as well; mutterings loud enough to bring quick denials from Mr. Kinnock's quarters.

How long this beneficial effect will last is anybody's guess. Mr. Major will have to decide whether to go for a quick election in the spring or to take as long as possible to establish himself, meaning probably no election until 1992. If the Conservatives win that election, the received view will be that the regicides did a necessary, even a merciful, thing: if they lose, the recriminations will be bitter. Meanwhile, British politics are likely to be more restful than they were under Margaret Thatcher; which is what most people, including her erstwhile colleagues, apparently want. □

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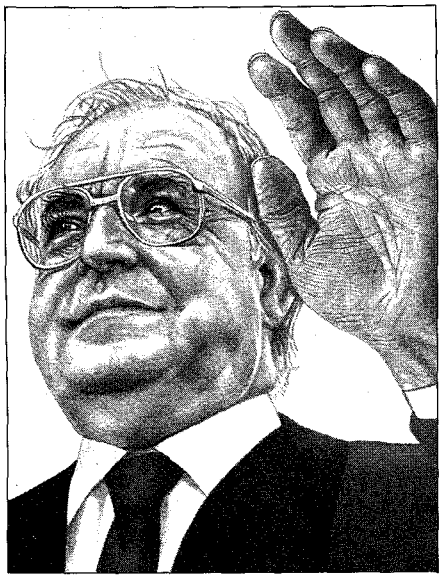
After the Party

ROBIN GEDYE



Bonnie T. Gardner

BONN

THE PARTY celebrating Germany's transformation into Europe's largest democracy is finally over. What is left is the debris to clear away and the hangover to nurse.

The climax was reached December 2 with the first all-German elections in 58 years, two months after the national celebrations on October 3 for unification day. Yet looking back, Germans would probably tell you that the most memorable day of the year had been that warm June evening when they won the World Cup. Soccer is something they understand. Politics, particularly the sort that is about to envelop them, are something they would rather not have to think about.

Far from drawing a convenient line under the turmoil of the past year, Sunday's election has changed the political map of Germany and given Chancellor Kohl a major headache by enhancing the power base of his Free Democratic (FDP) coalition partners.

The FDP, whose most famous member, Hans-Dietrich Genscher, has served as foreign minister in successive coalition governments since 1974, has never been a particularly easy partner for the Christian Democrats (CDU). But even as the dust was settling on election day, the FDP had begun to flex its increased political muscle. Its leadership insisted that East Germany be designated a low-tax area. As an added twist, the FDP demanded that the government not raise taxes in either part of Germany to pay for unification.

The provisions fill the chancellery with horror. It believes that turning East Germany into a low-tax area will open it to widespread abuse as an artificial tax haven. The point of the scheme is to attract new firms and dam up the hemorrhaging employment figures, but it could do far more damage to the German economy than it will rectify.

In addition, the scheme would achieve precisely what the chancellor is seeking to eradicate—two Germanies. The latest unemployment figures show a 10 per cent rise in eastern Germany, bringing the total to a worrying 6.7 per cent of the labor force.

The western-German economy is booming, with an expected increase in GNP of 4.5 per cent over the year. But the fiercely independent Bundesbank warns that if the economy overheats as a result of the huge increase in demand from East Germany, interest rates may have to rise. Chancellor Kohl will thus not only be locking horns with the FDP over policy and Cabinet seats, but will be continuing his tussle with Herr Karl Otto Poehl, the urbane head of the Bundesbank, who has never thought much of what he considered to be an over-rapid lurch to unification.

In one sense the election was a clear vote by Germans for the middle road in politics. The neo-fascist Republican Party, the ecology-obsessed Greens, and the renamed East German Communists were all routed, and the Social Democrats (SPD) suffered their largest electoral setback since 1957, when Konrad Adenauer was approaching the zenith of his power. If their recovery takes as long as it did then, they will remain in the political wilderness for another ten years.

The CDU/FDP, together with the Christian Social Union, the CDU's sister party in Bavaria, is a handful short of a two-thirds majority in parliament. Even if it wanted to, therefore, the FDP could not bring down the government by switching alliances, as it did in 1982 when it deserted the SPD to put the CDU in power.

Although the FDP can no longer control the CDU by threatening to desert it, it can use its considerably enhanced tail to wag the dog of government. One area the FDP, through Herr Genscher, has made virtually its own is Germany's foreign policy. Its central aim here will be to change NATO from a military institution into a political forum while strengthening the CSCE (Conference on Security and Cooperation in Europe).

All this, according to Genscher's vision, is to be effected by including the Soviet Union in as many international discussions as possible until the sun rises, one day, over a brand-new United States of Europe. Ultimately, although no one in the Foreign Ministry is breathing a word of it at the moment, Genscher would see nothing wrong in turning Germany into a nuclear-free zone. One of the first casualties of the FDP's increased clout will, in any case, be the $42-billion Eurofighter project undertaken jointly with Britain, Spain, and Italy. At Genscher's insistence Bonn is quietly preparing to pull out of the scheme, thereby effectively consigning it to the scrap heap.

Thrown into this potent mix of problems are the social consequences of unification. A sudden surge of support for the CDU in Berlin was directly ascribed to the street riots two weeks before the elections. The same thinking permeated the rest of the country in the wake of regular weekend soccer riots in which police in East Germany had to use firearms on three occasions. The incidence of anarchist youths in balaclavas armed with stones and Molotov cocktails rampaging through the streets of Germany's larger cities after demonstrations has grown considerably over the last 14 months. Law and order is going to be an important issue in the next few years.

But the greatest problem for Germany, and indeed for Europe, will be the tide of would-be immigrants from Eastern Europe and, more worryingly, from the Soviet Union if Moscow goes ahead with plans to allow its people free travel starting next summer.

There are two million ethnic Germans living in the Soviet Union. Five hundred thousand of them have already applied for visas to emigrate and are waiting for the necessary permission from Moscow. A further three

Mr. Gedye is Bonn correspondent of the London Daily Telegraph.

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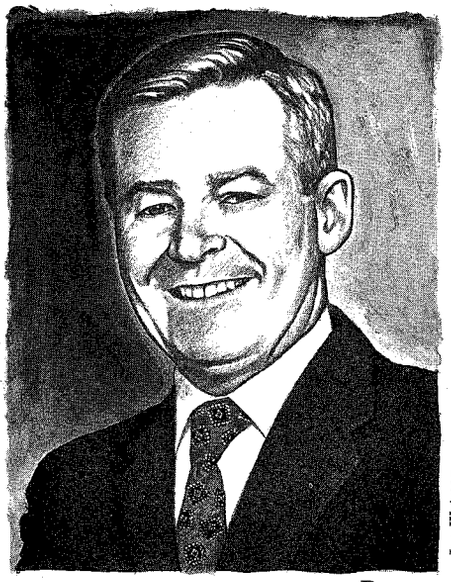
million are still in Eastern Europe. All of them have a right under the German constitution to live in Germany. This year alone West Germany absorbed one million newcomers. The housing shortage is acute and the mood is increasingly intolerant.

Germany's policy at the moment is to open its borders. It already has no visa restrictions for Czechoslovakians and is about to allow Poles free entry. When the Soviets start coming at a rate estimated by a Geneva demography institute at three to five million a year, the social infrastructure will collapse. How to deal with this onslaught while coping with the eastern-German immigrants still streaming into western Germany at a rate of 15,000 a month will absorb all the energies of a government which may even now be wondering why it was so keen to volunteer to sweep up and restore order after the last guests had departed. □

Standing Tall in Boston

JACK FOWLER



Jon Weiman

BOSTON

THE Massachusetts State House sits atop Beacon Hill, the sun glistening off its gold-leaf dome this late-autumn afternoon. Now approaching its two-hundredth anniversary, the building wears its history proudly, with its displays of Revolutionary War muskets, the Hall of Flags war memorial, and a wood carving of the "sacred codfish." Tourists abound, and so do lawmakers.

Of the latter, none wields the levers of power more skillfully than William Michael Bulger, the South Boston Democrat who hopes to begin his 14th year as president of the State Senate come January.

His hope is not a certainty, for he has made enemies during his tenure in office, and some of them are plotting to demote him. But few are betting against Bulger. Sharp-witted, brainy (a Latin and Greek scholar), and—most important—ready to use his political muscle, he has suffered few losses during his thirty years in the legislature.

He is no Dukakis clone. To the contrary, Bulger, a proud Catholic, is a firm foe of abortion and busing, and an advocate of education vouchers. In South Boston, that's not unusual. What is unusual is that his principles are accompanied by a political savviness reminiscent of LBJ, to the point where the *New York Times* hails him as "arguably the most powerful state legislator in the country."

Even archliberal U.S. Representative Joe Moakley (D., Mass.), a close pal from "way back, when we both grew up in public housing," has high praise for Bulger's intellect and hard work. "Billy was the kid who went to the library even when it wasn't raining out," he says. He also defends the way Bulger runs the Senate: "If you're Senate president you have to wield power or you're ineffective."

That's one lesson Bulger grasped early on. Today he puts his imprint on virtually every aspect of state politics, from office-space and committee assignments to the flow of legislation. It was Bulger who got John Silber's name on the ballot for the Democratic gubernatorial primary this year.

Not surprisingly, his power and his willingness to use it have made him a popular media target—and he returns the favor. "The *Globe*," he says—"that's the *Herald* with verbs." More seriously, he states: "The right to know means the right to know the truth. When the media deal in fact and it turns out to be both false and defamatory they must be made to pay."

But the media still attack Bulger more than he attacks them. They resent the fact that Bulger doesn't get chummy with reporters, and won't trek over to their offices for editorial *tête-à-têtes*. "I refuse to go," he says. "It would be demeaning."

Then too, there is a matter of class. In a city still run largely by Brahmins, Bulger's blood is far from blue. *Globe* columnist David Wilson—one of Bulger's rare media defenders—wrote two days before the election that "his sins seem to be his traditional social and cultural values, his devout, observant loyalty to his faith, his friends, and his neighborhood, and his refusal to kowtow to the media." Wilson's colleague Mike Barnicle hit the same note: "Bulger is Irish, from South Boston, has a big job and a low license plate, and therefore must be devious, shifty, and constantly scheming."

That seems indeed to be the opinion of the editors of Barnicle's paper. In a piece endorsing Bulger's Republican opponent, the *Globe* slammed Bulger for his "entrenched, patronage-enforced incumbency and a cavalier, even contemptuous, attitude toward change," and qualities that would have made him "a suitable prime minister in some constitutional monarchy." Of course Bulger had the last laugh on election night, particularly when CNN broadcast nationwide his victory-speech skewering of Boston's "illiterate editorialists."

There's no sign that change will come to the mutual-admonishment society. From Bulger's point of view, moreover, the arrangement is politically beneficial. Given South Boston's resentment of the *Globe*'s endless attacks on its opposition to forced busing in the 1970s, Bulger candidly admits, "I don't know what I'd do without it." Proof of this came during campaign "standouts," where volunteers appeared at busy intersections brandishing Bulger posters. The events typically drew a hundred campaigners. But when word got around that one standout would occur across from the *Globe*'s offices, nearly five hundred showed up.

At the moment the *Globe* is preoccupied with how the recent elections (in which Republicans picked up seven

(Continues on page 52)

Mr. Fowler is a reporter in NR*'s Washington bureau.*

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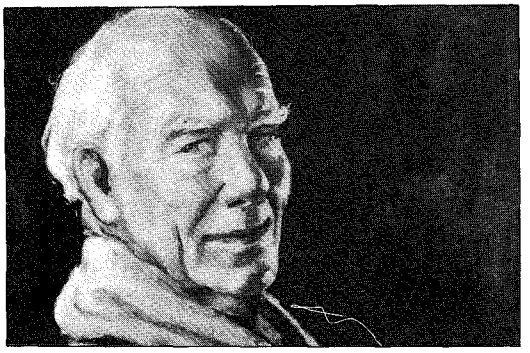
BENEATH THE CARAPACE



If the legend of 'St. Mugg,' the worldly and witty cynic turned Christian ascetic, seemed too good to be true—well, it was, and it wasn't.

CHRISTOPHER BOOKER

I FIRST came across the name of Malcolm Muggeridge when, at the age of 12, I pulled down from my father's shelves his book on the Thirties. Written in a wonderfully funny, beguiling style, it recreated the decade when Europe had been sleepwalking toward war as a kind of pageant of the absurd—and I was so haunted by this shrewdly mocking way of looking at the personalities and events which make up contemporary history that if there was any one book which made me want to become a writer it was this.

A year or two after I had read his book, Muggeridge became much more widely known when, in 1953, he became editor of *Punch*, the long-established humorous magazine to which, for four years, he gave an edge and sparkle it was never to know again. In 1955 an irreverent article he wrote for the *New Statesman* on the Royal family, "Royal Soap Opera," was a further shock to the sensibilities of that rather grey, deferential time. By the late Fifties, through his quizzical, world-weary performances on television, he was already on the way to becoming a national institution. And when, in 1961, I became the first editor of a new satirical magazine, *Private Eye*, so far as I was concerned it was Muggeridge's *Punch* that had been the inspiration.

In 1963 I at last met my hero, at a dinner party in Chelsea, and we at once became friends. I began to make regular visits to the beautiful Sussex valley, sixty miles from London, where he lived with his wife, Kitty, in a delightful cottage at the end of a rutted farm track, surrounded with orchards and wooded hills. My chief memory of those happy days is of the endless hours of talk—I came to think that, good as Malcolm was as a performer on television, he was even better as a writer, but he was best of all as a conversationalist. Discourse with him was always charged with a tremendous energy, so that it could roll on for hours without a pause—on long walks through the surrounding woods, sitting at the kitchen table over simple meals, continuing through games of chess or Malcolm's endless games of patience. Always the themes were the same, a gossipy, half-serious, half-uproarious, always mocking ramble round the absurdities of the public drama of our time—what he called the "legend"—the self-deceiving follies of politicians and intellectual figures, as our poor old civilization struggled on toward what he saw as its inevitable doom. How, in his derisive drawl, he liked to roll around his tongue such phrases as "the whole show is over"; such-and-such a thing (the monarchy, the BBC, the United Nations, Communism) "is all washed up"; some much-praised book of the moment was "pitifully thin stuff"; some famous writer was "irredeemably mediocre." He seemed to have known or at least met everyone, and spoke of them all in the same half-affectionate, half-scornful tones—"the trouble with poor old Lawrence was that he was impotent," "poor old Mailer—his trouble is that he is a rabbi manqué," "poor old Churchill—in the end he was just a power-crazed maniac like the rest of them." It was delivered with such gusto and good humor that it elevated us all—indeed, some of the best and driest lines came from Kitty. I recall how, over lunch one day, she coined what was to become one of the most famous of all Muggeridgisms, when she observed of my old friend David Frost, then ascending to some dizzying height in the world of television talk shows, "I suppose you could say of Frost that he has risen without trace."

A Handful of Heroes

NEVERTHELESS, running through the mockery, there would always be references to his heroes—William Blake, Tolstoy, Dostoyevsky, Cervantes, Dr. Johnson—that little handful of great men whom he honored as having seen through the fol-

Mr. Booker is a columnist for the London Sunday Telegraph.

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MALCOLM MUGGERIDGE, 1903–1990

ONE EXPECTS that Malcolm Muggeridge had himself in mind when, on *Firing Line* in 1980, he noted the necessity of cathedrals' having both steeples and gargoyles. "The steeple is this beautiful thing reaching up into the sky admitting, as it were, its own inadequacy—attempting something utterly impossible—to climb up to heaven. . . . The gargoyle is this little man grinning and laughing at the absurd behavior of men on earth, and these two things both built into this building to the glory of God."

Muggeridge was the gargoyle, of course. He was there just in case the steeples of human endeavor—whether religious, political, economic, or cultural—were ever seized by the delusion that they really had reached to heaven. The gargoyle will always be needed, for human beings are almost always taking themselves too seriously. "The trouble with kingdoms of heaven on earth," Muggeridge said, "is that they're liable to come to pass, and then their fraudulence is apparent for all to see. We need a kingdom of heaven in heaven, if only because it can't be realized."

The anti-utopian streak in Muggeridge was strong, but even in his old age—especially in his old age—the anti-utopian was saved from becoming a tiresome cynic or curmudgeon by an irrepressible faith in the City of God. In 1984 he and his wife, Kitty, who survives him, were received into the Roman Catholic Church. He became a Catholic, in part, because he thought it unfair that he should spare himself the burden of nonsense that he thought was afflicting the Church after the Second Vatican Council. But in much larger part, as he often said, he became a Catholic because he wanted to belong to a church that dared to look out of step and even reactionary in the face of the manifest madnesses of the modern world. In particular, the 1968 encyclical on human sexuality, *Humanae Vitae*, he took to be a manifesto of liberating sanity against a liberal culture in bondage to "erotomania." Sex, he observed, is materialism's shabby substitute for religious experience.

Muggeridge had a nearly boundless admiration for Pope John Paul II, and his esteem for Mother Teresa was completely unloosed. He almost singlehandedly brought her to the attention of the world through a television documentary and book, both titled *Something Beautiful for God*. The greatness of Mother Teresa, he believed, is that she has no conceits about improving the sorry state of the world. She exemplifies the truth that love needs no justification, and no human effort can be justified except by love. This, according to Muggeridge, draws the line of real difference between Christians and between churches. "It is the quarrel between those who accept our Lord saying that His kingdom is not of this world and those who believe that they can construct a kingdom of heaven on earth."

Muggeridge was all for people attempting great things, so long as they didn't advertise them as great. Every steeple—every reach for the good, the true, the beautiful, and the terribly significant—should have a gargoyle prominently and firmly attached. With remarkable success, Muggeridge attached himself to the most ambitious steeple of our contemporary Babel, the communications media. As editor of *Punch* in the 1950s, he was established as a major figure. And with his 1953 interview of Billy Graham for the BBC, Muggeridge's television career took off. As an interviewer, panelist, and writer of documentaries, his presence on both sides of the Atlantic seemed at times to approximate ubiquity. He knew everybody and was taken in by nobody. Those on the receiving end of his acerbic wit usually bore him no grudge, for his pricking of pomposities was attended not by nastiness but by an invitation to join the comedy of the human condition. He did believe it to be comedy, not tragedy.

The word commonly applied to Muggeridge was "irreverent." His was a hard-won irreverence, however, sustained by a deeper sense of what really matters. "There is nothing serious under the sun except love: of fellow mortals and of God," he said. Which is to say that everything under the sun is serious, if we do not take it (and especially if we do not take ourselves) too seriously. Muggeridge was the master of a metaphysical lightheartedness, not untouched by an almost mystical intimation of the worlds of which this world is part. He could therefore afford to be candid about the limitations of a life that was never designed to bear the weight of our full devotion. "I have always looked forward to death," he told an interviewer in 1981. "It would be a terrible prospect, wouldn't it, to just go on and on and on. Everything is bearable because we die."

He also said this: "I have never doubted that our existence in this world has some sort of sequel. It would seem to me preposterous to suppose that this universe was set up solely to provide a *mise-en-scene* for the interminable soap opera of history, with its stock characters and situations endlessly repeated." Malcolm Muggeridge has been retired from the soap opera in which the rest of us are, much too earnestly, still learning our lines. It seems unlikely that anybody will replace him in the role that he played with such relish. In any event, he made it clear that he was only warming up for a better part in the sequel.

We can but dimly imagine Malcolm Muggeridge, the sequel. And yet, even around the Throne there is probably a need for gargoyles—to remind the blessed where they came from, and just in case some altogether too serious folk think themselves so heavenly that they are distracted from the One Whom heaven is about. There is nothing in orthodox theology that precludes the possibility of self-deprecating laughter in the City of God. With Malcolm Muggeridge there, such laughter is a near certainty. And a good thing, too. How else should it be all to the glory of God? —RICHARD JOHN NEUHAUS

Mr. Neuhaus, NR's religion editor, is the director of Religion and Public Life.

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lies of the ego and earthly striving to something altogether deeper and eternal beyond. And then I remember the day in 1966 when he came in from his study and asked me, rather diffidently, to read something he had just written for the *New Statesman*, an article headed "Why I Believe," in which he made a heartfelt declaration of his belief in that ultimate reality that was God.

His article startled me, partly because it seemed so far removed from the cynical, irreverent Muggeridge the world had come to know through his public persona, and partly because, although I had not told him, I had recently come to the same conviction myself. In a way this brought us to the happiest years of our friendship, when I was able to discuss with him the same sense of a spiritual awakening, and when at last he seemed to share with his literary heroes—Tolstoy, Dostoyevsky, Dr. Johnson, and the rest—a common religious foundation.

Tim Bower

Publicly Malcolm did not always find it easy to adjust his old mocking persona to his newfound religious position, as he turned dramatically into the scourge of "pot, porn, and the pill"—all the fantasies of the permissive society then in full swing around us in the late Sixties. He enjoyed the combative side of it—he had always enjoyed battling with the received unwisdom. But there were also times in his newly exposed position when he felt very lonely—and I suppose I was not altogether surprised when he became increasingly concerned to seek out those he took to be of a like mind to himself, the path which led him into alliance with evangelicals, Moral Re-Armers, Christian crusaders of all kinds, and ultimately, a decade or so later, into the Roman Catholic Church.

Polishing Up the Cover Story

DURING the last decade of his active writing life, the main theme of most of his writing was autobiographical as, through books, articles, and television programs, he told and retold the story of his own life. We came almost to know by heart how, from his "Socialist childhood" in Croydon, he had traveled through his disillusionment with all the collective utopianisms of our time and with all the wearisome vanities of personal egotism, up to the moment of the final apotheosis when he had been so dramatically transformed into Mugg the Christian ascetic, waiting joyfully, as he so often told us, for the release of death. The images, the anecdotes, the phrases in which this story was couched became so familiar that, as I once put it, with its "protestations of humility, confessions of weakness, eagerness for the joyful release of death and all" it began to read "just a little too much like a carefully prepared cover story."

But then I shall never forget the shock of reading his last major work, his private diaries, when they came out in 1981 under the title of *Like It Was*—because the real inner story of his life that they revealed was so much more interesting and moving than the endlessly polished-up version he had come to present to the world in later years. Much more intensely and vividly than in his later autobiography *Chronicles of Wasted Time* (or even than he had revealed in his semi-autobiographical novel of 1934, *Winter in Moscow*), they showed how it was the shock of coming face to face with the nightmarish reality of Stalin's Russia, when he had gone there as correspondent for the *Manchester Guardian* in 1932, which had first converted him to a truly religious view of the world—and how, privately, for several years after that he had tried to battle with the demons of his "insatiable ego" to remain true to that inner vision.

But somehow he had then lost touch with the core of mystical religious conviction, as he launched out into the decades that were to bring him such success and fame on the stage of the world, culminating in the late Fifties and early Sixties in his emergence as one of the major television personalities of the age. By the time his religious impulse finally welled up again in the late Sixties, he had become so used to playing his part in the public "legend" that, like a carapace, his ego-based persona was too strong to be dismantled—and it was this which often made his declarations of his newfound faith and humility seem just a little too glib, dogmatic, and sentimental to carry complete inner conviction.

As I wrote in the *Sunday Telegraph* when Malcolm died on November 13 last, after some years of becoming increasingly isolated from the world by the debilities of age, "it was this which gave Malcolm's life ultimately a rather melancholy, even tragic pattern, an impression which not all one's grateful memories of his extraordinary generosity and the endless fun of his conversation can ever quite efface." I remember how his favorite Shakespeare play was *King Lear*. I also remember how one of the most cherished of all his maxims, from his old friend Hugh Kingsmill, began with that central article of Malcolm's secular creed through most of his life, "The attempt to externalize the kingdom of heaven in temporal shape must end in disaster." It went on, in words which Malcolm so often repeated to me in the first years of our friendship: "Those who seek for it alone will reach it together, but those who seek it in company will perish by themselves." □

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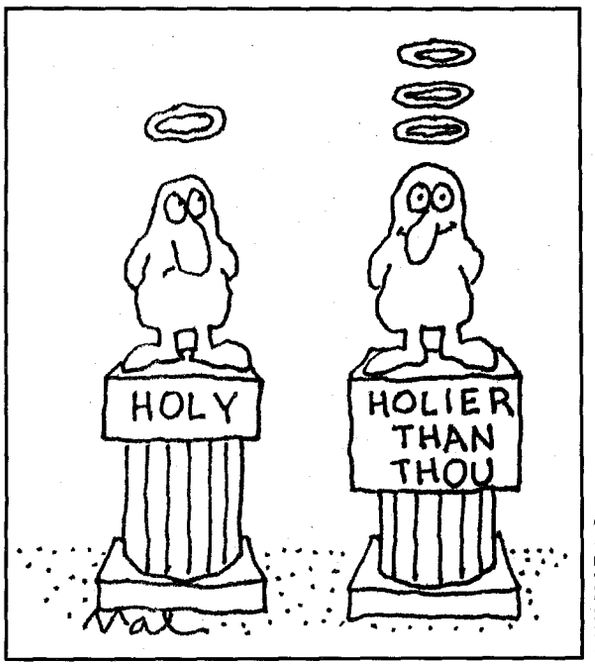

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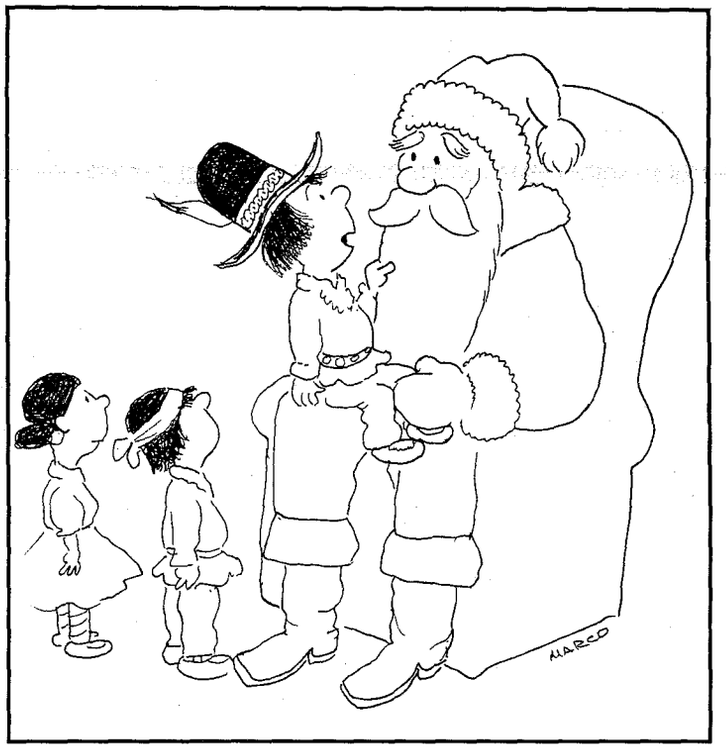

"I'd like a word processor that talks Navajo."

Dear Joyce Kilmer

I think that I shall never see
A gleaming, glowing Christmas tree,
A tree that bears the woodman's own
Initial,
That looks, oh, not the least bit
Artificial.

But by the selfsame token I
Admit the man-made kind you buy—
The "fir," the "spruce," the "pine"—all look
And feel, dear,
Discreetly, sweetly, and completely
Real, dear!

So say I in a firm, clear voice:
The Lord has competition, Joyce!

MAUREEN CANNON

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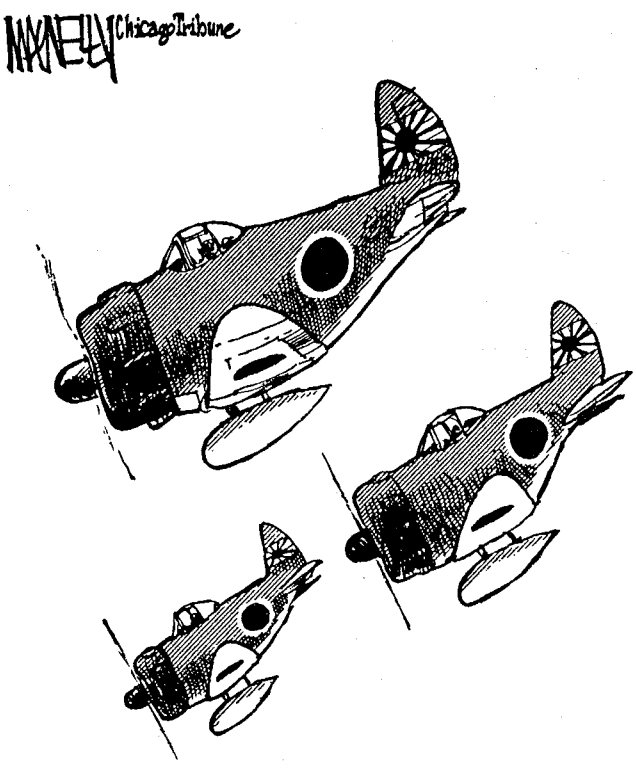
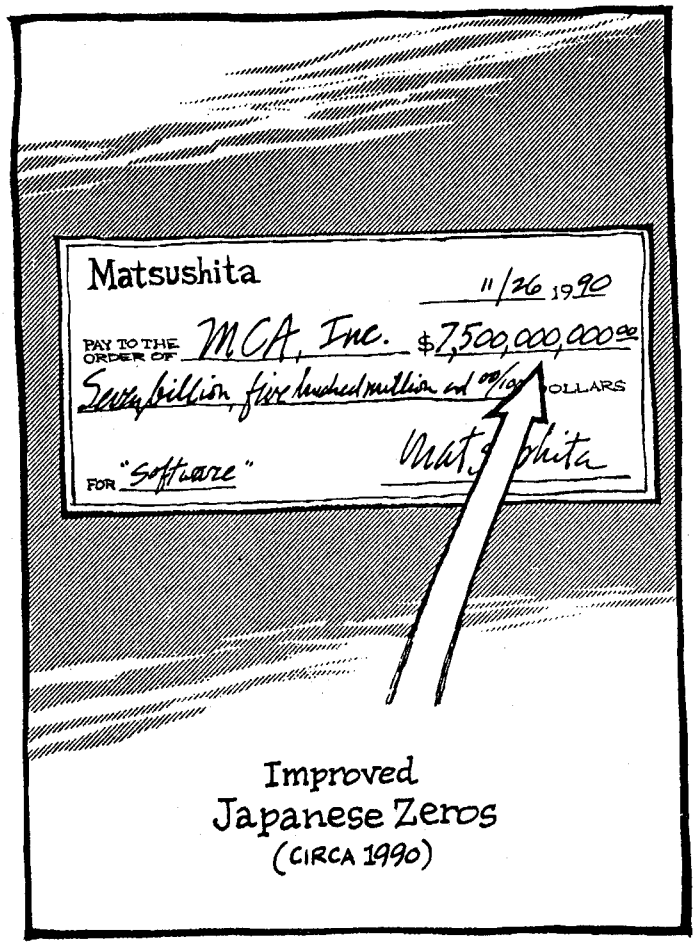


Japanese Zeros
(CIRCA 1940)



Improved
Japanese Zeros
(CIRCA 1990)

...WE WANTED TO TELL YOU ABOUT KEATING'S MONEY SOONER, BUT WE HAD NO IDEA THERE WAS ENOUGH TO GO AROUND!... HONEST!..
SENATE ETHICS COMMITTEE
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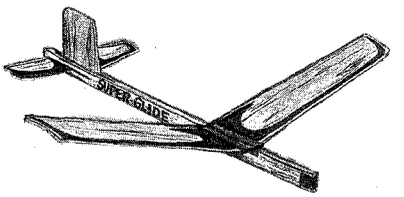

BEFORE YOU SAY NO . . .

A Correspondence, Nonfictional, between a Young Boy, a Housewife, a Headmaster, and the Young Boy's Brother

ALOISE BUCKLEY HEATH

March 7

Dear Mrs. Heath:

I wish to ask you a great favor. My brother David goes to Cranwell and he says they go easier on brothers, so I might have a chance to get in even though my grades aren't so terribly good. But I need three letters of recommendation and I have one from a priest and one from a nun and my father says he thinks the third one better be from someone who is not a priest or a nun. You are not a priest or a nun but yet you know me intamitely from me having delivered your paper even that bad day right after Christmas when their was no school and the *Times* boy didn't deliver his customers, and from those Catholic Christmas cards you always buy, and from the jack lantern pumpkins I helped you carve three years in a row, and the Easter Eggs, and a lot of other things. (Like the time I picked up John when he broke his arm and taught Priscilla how to ride a two-wheeler.)

Before you say no, I did break the trampoline but I didn't honestly know how heavy I was, because I grew very suddenly and the only reason I was always on the roof was because of my gliders which you said I could get if they were on the roof, and the time you wouldn't let me come in your back yard for three weeks that time, Catholic Word of Honor, John started it and it was not my fault because Scout's Honor, I only gave John the most compleatly gentle kind of tap so he would go home so Georgie Cunningham wouldn't beat him up, because you know how Georgie is when he gets mad. Because John threw a mud ball at him on his bicycle. Not that you were wrong, but that I'm explaning now, because you were so mad then you wouldn't give me a chance to explane, because John got their first and he fed you a lot of garbage. But I still like John, he is a fine young boy, he has been well brought up by his Mother.

But even if sometimes you don't get along with me too well, I always think of you as my "Oldest Friend" so I hope you will do me this great favor of writing me a letter of recommandation.

Thanking you for your trouble,

Respectfully yours,
PETER BAILEY-GATES

P.S.: Thank you for the pennies of which I already had the 1926 San Francisco mint but I did not have the 1921 Denver. Do you have a 1905 Indian Head, I will pay one nickel, clear profit of four (4)¢?

Respectfully yours,
PETER BAILEY-GATES

March 7

Dear Peter:

I would be glad to write you a letter of recommendation to Cranwell, and I am very flattered that you asked me. Of course, I will have to tell the Truth, the Whole Truth, and Nothing but the Truth, so I hope nobody will be careless enough to allow my letter to fall into the hands of the police. I can't tell you how much I would miss you if you had to spend the next ten years in a reformatory.

Respectably yours,
MRS. H.

P.S.: No, I haven't got a 1905 Indian Head, which saddens me very much, but what saddens me more is the fact that even after three years' acquaintanceship you don't know me well enough to realize that I also know that this particular penny is worth $6! You and your 4¢ profit—hah! I've told you and *told* you about my high IQ. Don't you believe me? However, just to show you I bear no grudge, I will give you my duplicate of the 1911 no mint mark—for free yet!

Respectably yours,
MRS. H.

P.P.S.: Don't worry about my letter. I will bet you one dollar (from me) to one doughnut (from you) that you will get into Cranwell—not because you're such a hot-shot, you understand, but because if I'm crazy enough to like you, your priest and your nun are probably suffering from the same form of insanity. On the other hand, they may know you even better than I do, God help them!

Respectably yours,
MRS. H.

March 9

To Whom It May Concern:

Peter Bailey-Gates has been in and out of my house almost daily for the past three years—by "almost" I mean those short sentences of exile which I have been unkind enough to impose upon Peter—and in that time I have

A piece by the late Aloïse Buckley Heath is an NR *Christmas tradition. The book* Will Mrs. Major Go to Hell?, *in which this and Mrs. Heath's other Christmas pieces appeared, has just been reissued in an updated edition by National Review Books.*

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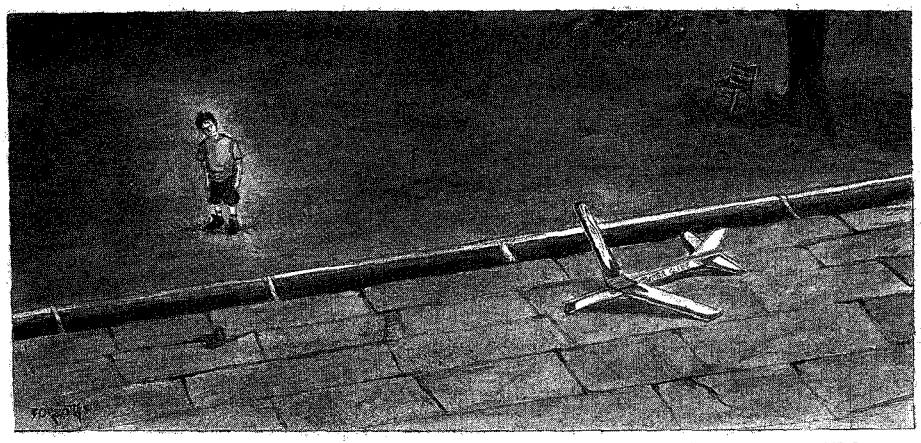
come to know him very well indeed: as friend, paper boy, fellow penny-collector, and combined decorator, waiter, and entertainer at my younger children's birthday parties.

I have found Peter to be unfailingly good-humored, well-mannered, and considerate—all of which qualities stand him in good stead in his relations with the public, which are many and varied. I am sure that no boy in New England, much less in West Hartford, has been engaged in so many intricate business enterprises as Peter Bailey-Gates. I have bought, hired, subscribed to, invested in, paid and been paid interest on fully a dozen of his ventures in the last three years—not even counting his snow-shoveling, leaf-raking, apple-picking, and garbage-can-toting, for which my own young sons are recruited. Peter's financial sense is, however, no deterrent to his feeling for what is fitting and proper: When he washed the car of the seventy-year-old spinster who lives nearby, for instance, he was careful to explain (lest I should find out, I suppose!) that he had refused payment only because she had "no man to make money for her"; again, when he asked me to take an ad in his projected *Colony Road News* and I was so irreverent as to reserve two inches of space for the slogan "HOORAY FOR MRS. HEATH," Peter offered to refund my dollar because he had caused my ad to appear as "COMPLIMENTS OF A FRIEND." I must, however, state categorically that Peter has faithfully and conscientiously fulfilled his share of every and any contract between us, whatever it may have been. (And the fact that one or two of these contracts have been rather clearer to Peter than to me has been indignantly attributed by my own children to my habit of doing jigsaw puzzles, reading, watching television programs, and saying "Uh-hunh" simultaneously, when I should have been *listening*. My husband affirms this judgment.)

Lest my young friend sound barely lower than the angels, I must add that his fertile imagination combined with his 13-year-old sense of humor has led, on occasion, to my addressing him with harsh words and unkind ("You know perfectly well that when I told you last Tuesday you could climb up on the roof to get your glider, I didn't mean you could buy ten *more* gliders and *aim* them at the—and by the way,



Joseph Borzotta

I hope you didn't buy them with the lottery money for the bicycle horn—when are you going to *have* that lottery, anyway? I bought those tickets six weeks ago!" And much more). These irrational, if predictable, crises of the adult world leave Peter possibly repentant, probably remorseful, but certainly unruffled. He is more sophisticated today than three years ago, when, at the age of ten, he frequently urged me not to get my liver in a quiver. Today, when Peter and I have what he refers to as "a difference of opinion," he retires with complete equanimity to his own back yard until such time as my ill-humor subsides. My change of mood is apparently picked up by Peter's extrasensory perception within the hour, for whenever I decide that the time has come for forgiving and forgetting, he appears at my front door within 15 minutes, to assure me *he* has forgiven and forgotten. By way of proof (or penance?) he then resumes without rancor his status as our daily visitor.

Needless to say, our friendship is steadfast.

ALOISE BUCKLEY HEATH
(Mrs. Benjamin Wild Heath)

March 15
CRANWELL PREPARATORY SCHOOL
Office of the Principal

Mrs. Benjamin Wild Heath
29 Colony Road
West Hartford, Connecticut

Dear Mrs. Heath:

I am very grateful to you for your detailed and colorful description of Peter Bailey-Gates.

Many of Peter's accomplishments can be put to good use at School. Leaf-raking and snow-shoveling are part of the punitive curriculum. Endowed with all the energy which you describe, I am sure that Peter will be an early candidate for demerits.

We will try to keep pace with Peter. What substitute we will have when the occasion arises for Peter to "retire to his own back yard" we will try to figure out during the year.

Sincerely yours,
CHARLES E. BURKE, SJ
(Rev.) Charles E. Burke, SJ
Principal

March 15

Dear Mimi and Dad:

Please excuse the paper, for I'm in study hall, and since something happened tonight, which made me feel pretty proud of my little (little? Ha Ha) brother Peter, I thought I'd tell you about it, unless you already know. This has also changed practically my entire attitude toward Father Burke who has practically never been known to crack a smile in the memory of the oldest graduate.

Not more than five minutes ago, during the break between study hall hours, Father Burke called me and showed me a letter which Mrs. Heath had written to him about Peter. It described Peter to a tee. All of the letter was praiseworthy about him, and had been written just about Peter and nothing else. Father Burke was astonished and asked me if it was all true, and I told him it was, and he said in that case PETER GETS IN!! . . .

Say hello to the little kids for me please, and tell them "Big Dave" will be home soon.

Love and prayers,
YOUR SON DAVID

March 15

Dear Pete—Boy, does Mrs. Heath sure have your number. Father Burke said he can hardly wait to get you up here to knock it out of you. Love and Kisses.
DAVE

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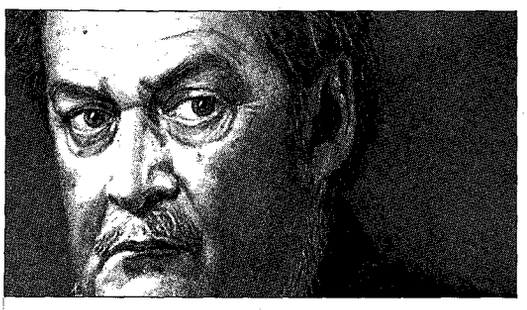
AN END TO POLITICAL JUDGING?



The 1989–90 Supreme Court was a traditionalist Court. Alas, the tradition was that of Earl Warren and William O. Douglas. Will David Souter make a difference?

ROBERT H. BORK

DURING 1989–90 the Supreme Court continued to display many of the drives that have characterized its performance for the past half-century: the aggrandizement of judicial power; changes in established law to benefit favored racial groups; selective application of the free-speech clause of the First Amendment to disadvantage certain groups in the political process; and a reliance on abstractions at the expense of both history and contemporary reality. Certainly those who hoped for a return to a more modest Court, one less adventurous in making national policy, had no reason to rejoice.

The expansion of judicial power was dramatic in *Missouri* v. *Jenkins*, a case that was decidedly peculiar in all of its aspects. The Kansas City, Missouri, School District (KCMSD) and a group of students filed suit alleging that the state of Missouri and surrounding school districts operated a segregated school system in the Kansas City metropolitan area. The district court found that there were no lingering segregative effects from any alleged violations involving suburban districts and so denied interdistrict relief. The court found, however, that the KCMSD and the state had operated a segregated school system within the KCMSD and therefore ordered intradistrict relief.

The remedy was odd in at least two respects. Since the absence of interdistrict effects precluded interdistrict relief, such as ordering the busing of white children in from the suburbs, the court ordered the KCMSD to make a school system so attractive that the suburban children would be induced to come in voluntarily, thus producing an odd combination of intra- and interdistrict relief. But the astounding part of the remedy was its extravagance. Nothing like it had ever been seen before in a school-desegregation case. Justice Kennedy's dissent from the decision upholding the plan briefly noted some of its features:

> . . . high schools in which every classroom will have air conditioning, an alarm system, and 15 microcomputers; a 2,000-square-foot planetarium; greenhouses and vivariums; a 25-acre farm with an air-conditioned meeting room for 104 people; a Model United Nations wired for language translation; broadcast-capable radio and television studios with an editing and animation lab; a temperature-controlled art gallery; . . . swimming pools; and numerous other facilities.

The cost was estimated at $460 million. The district court allocated 75 per cent of the cost to the state and 25 per cent to the KCMSD. Given all this, it is perhaps not surprising that the district court thought it advisable to order the hiring of a "public-information specialist," at a cost of $30,000, to sell the plan to the community.

The cost allocated to it far exceeded the KCMSD's budget. New taxes would be required, but the Missouri constitution limited local property taxes to $1.25 per $100 of assessed valuation. A majority of voters in the district could approve higher taxes up to $3.25 per $100, and two-thirds of the voters could raise taxes above that. The court ultimately ordered the KCMSD tax raised from $2.05 to $4 per $100 of assessed valuation.

The Power to Tax

THE Supreme Court, for reasons that are unclear, did not take up the question of the propriety of so extraordinarily elaborate a remedy. Instead, the Court limited its decision to the propriety of the district court's imposition of a tax increase. Although the Court majority held that the district court had gone too far in ordering a tax increase, it said that court could have enjoined the provision of the Missouri constitution that prevented the KCMSD from levying higher taxes. There may be some differences in the two approaches but there is none in terms of judicial power. Federal courts, as a practical

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Mr. Bork is John M. Olin Scholar in Legal Studies at the American Enterprise Institute. This article is the new preface to Tempting of America, *© 1990, by Robert H. Bork, to be published by Touchstone/Simon & Schuster, Inc. Printed by permission.*

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matter, now have the power to impose taxes.

One prior case (*Von Hoffman* v. *City of Quincy*) had found a rollback of taxes illegal because the rollback was a deliberate attempt to defeat an existing constitutional right. That was not true of the Missouri tax limit. *Jenkins* represents an enormous increase in the judicial assumption of power at the expense of democratic control. The power to tax is legislative, but the Court now holds that the judiciary shares the power and can override the decision of the people. As Justice Kennedy wrote in dissent,

> Perhaps the KCMSD's Classical Greek theme schools emphasizing forensics and self-government will provide exemplary training in participatory democracy. But if today's dicta become law [the majority thought the "dicta" were law], such lessons will be of little use to students who grow up to become taxpayers in the KCMSD.

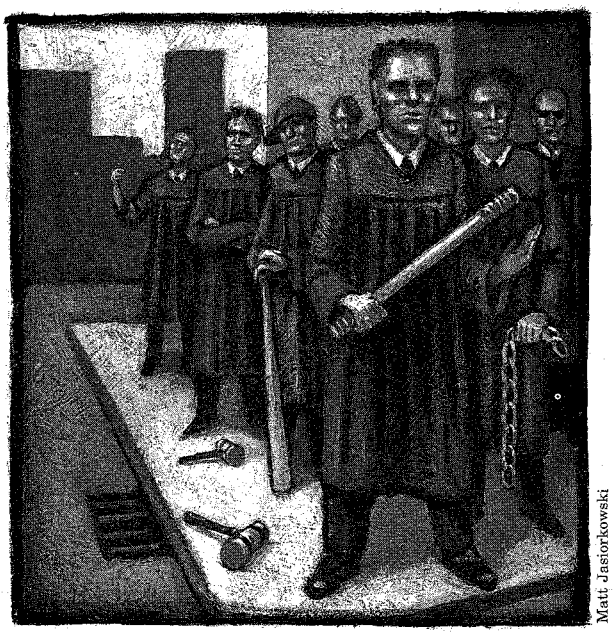
Not only does the Constitution indicate that taxing is a democratic function by placing the federal power in Congress, but that has been the understanding of the distribution of powers from the beginning. In *The Federalist*, No. 78, Hamilton wrote:

> Whoever attentively considers the different departments of power must perceive, that, in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them. The Executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither FORCE NOR WILL, but merely judgment . . .

Missouri v. *Jenkins* proved Hamilton wrong, at least as to the judiciary's influence over the purse.

The most shocking decision of the term came in *Metro Broadcasting* v. *FCC*. A five-member majority upheld the power of Congress to make racial distinctions, in this case giving preferences in the awarding of broadcasting licenses to minorities as defined by the Federal Communications Commission.

It had been the law that the government could give racial preferences only to remedy past discrimination or where the government had a "compelling interest." The latter requirement was, quite properly, so severe that it could almost never be met. The new law, expressed in Justice Brennan's majority opinion, is that "benign race-conscious measures mandated by Congress—even if those measures are not 'remedial' in the sense of being designed to compensate victims of past governmental or societal discrimination—are constitutionally permissible to the extent that they serve important governmental objectives . . ." The difference between a compelling and an important governmental objective is a chasm, and this case reveals just how trivial an "important" interest may be and still be used to justify reverse racial discrimination.



Matt Jasiorkowski

Racial minorities are to be preferred in order to foster diversity of programming. It is simply assumed, without proof, that blacks, for example, will program differently from whites. Quite aside from the racial stereotyping that underlies this assumption, it is astounding that the constitutional barrier to racial discrimination, begun with *Brown* v. *Board of Education*, should be so lightly abandoned for the latest liberal prescription with respect to race. The Court assured us that it will allow only "benign discrimination." This simply means that the Constitution is no longer color-blind but prefers some colors to others.

How Benign?

IF RACIAL discrimination is to be tolerated whenever the government has some purpose in mind, however trivial the purpose and however attenuated the connection between the purpose and the discrimination, the courts will be in for some very ugly tasks. Federal and state regulators, and ultimately federal courts, will be called upon to determine the race of applicants for benefits. Indeed, they may be called upon to decide whether Congress may "benignly discriminate" in favor of blacks and Hispanics but not in favor of Arabs or, indeed, any of the many other ethnic minorities with which America abounds. In broadcasting, these groups would be quite as likely to create programming diversity as currently favored groups. Why, then, do they not have an equal-protection claim to the same preferences? No good answer exists.

Justice O'Connor's dissent shredded the majority's reasoning. Benign racial classification, she wrote, "is a contradiction in terms. . . . To the person denied an opportunity or right based on race, the classification is hardly benign." She also noted, "The dangers of such classifications are clear. They endorse race-based reasoning and the conception of a Nation divided into racial blocs, thus contributing to an escalation of racial hostility and conflict." She is quite right. *Metro Broadcasting* produced a disaster for constitutional law, for the ideal of racial equality, and, if such policies spread widely enough, for race relations in America.

The First Amendment continued to be deformed in a trio of cases. *United States* v. *Eichman* struck down a new federal flag-protection statute, the five-man majority adhering to the principle of *Texas* v. *Johnson*, from the 1988–89 term, that government may not suppress an idea because it finds the idea offensive. Justice Brennan's opinion ignored the point, made by Justice Stevens, that no idea was being suppressed but merely a particularly offensive mode of expression.

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Rutan v. *Republican Party of Illinois* discovered that the First Amendment, then 199 years old, banned political patronage in government hiring, promotion, etc., a practice whose origins are lost in antiquity and which was certainly common, if not universal, at the time the First Amendment was adopted. The case illustrates the capacity of the majority to extrapolate an abstract principle without regard to the understanding of those who framed the First Amendment or those who lived with it for two centuries. Justice Scalia's dissent remarked:

> if there is any category of jobs for whose performance party affiliation is not an appropriate requirement, it is the job of being a judge, where partisanship is not only unneeded but positively undesirable. It is, however, rare that a federal administration of one party will appoint a judge from another party. And it has always been rare. See *Marbury* v. *Madison*, 1 Cranch 137 (1803). Thus, the new principle that the Court today announces will be enforced by a corps of judges (the Members of this Court included) who overwhelmingly owe their office to its violation. Something must be wrong here, and I suggest it is the Court.

Finally, in *Austin* v. *Michigan Chamber of Commerce*, a six-man majority upheld the Michigan Campaign Finance Act, which prohibits corporations, excluding media corporations, from using corporate funds to support or oppose any candidate for state office. The Michigan Chamber of Commerce wished to place a newspaper advertisement urging the election of a candidate to the state's House of Representatives because he would act to make Michigan "job competitive." Since the statute barred that speech, the Chamber challenged the law.

Without question, the Michigan statute barred political speech, speech that is at the center of First Amendment protection. Justice Marshall's opinion for the majority concluded, as it had to, that the law burdened the exercise of political speech. (That was a polite way of describing an outright ban of such speech.) The opinion moved on, therefore, to the question of whether the speech prohibition was justified by a "compelling state interest." Here, the opinion departed not only from prior rulings but from any conceivable meaning of a vital First Amendment.

Justice Marshall argued that state law grants corporations special advantages that allow them to amass economic resources which give an unfair advantage in the political marketplace. The advantage is unfair because the corporation's resources are not a reflection of popular support for its ideas. As Justice Scalia's dissent pointed out, the state gives many other associations and individuals special advantages in various forms and certainly cannot condition the conferral of such advantages on the forfeiture of First Amendment rights. If the possession of large treasuries were sufficient to justify the suppression of corporate speech, that Amendment would allow the state to prohibit speech by wealthy individuals. It must be remembered that the Michigan statute applied to all corporations, not just those with amassed wealth, and that it struck not at any demonstrated harm from corporate speech but at the mere potential for an imagined harm. The argument that a speaker may be silenced because the amount of his speech is not proportionate to public support for his ideas is flatly inconsistent with the idea, central to the First Amendment, that the right to speak is especially important when the ideas expressed are not shared, or are even hated, by the majority.

The Michigan statute's exemption for media corporations is especially hard to understand. Justice Marshall justified it because of the unique role the press plays in informing the public. But, as Justice Scalia pointed out, if one believes the Court's rationale that possession of great resources skews the public debate, the justification for exempting the media is actually a compelling reason to include them. "Amassed corporate wealth that regularly sits astride the ordinary channels of information is much more likely to produce the New Corruption (too much of one point of view) than amassed corporate wealth that is generally busy making money elsewhere." The fact that labor unions were not included in the statutory ban on speech suggested that the Michigan legislature may have wanted to give them a political advantage over employers.

Just as *Metro Broadcasting* was a disaster for the constitutional law of race, *Austin* was a First Amendment debacle. *Metro Broadcasting* held that the equal protection of the laws permits favored racial groups to be given advantages over others; *Austin* held that government may act so that disfavored political views are disadvantaged in public debate.

Change of Course

JUSTICE William Brennan's retirement after the Court's term ended gave President Bush the opportunity to change the Court's direction dramatically. A succession of fairly conservative Presidents—Eisenhower, Nixon, and Ford—succeeded only in continuing the liberal policymaking that has characterized the Court since Roosevelt's appointments. Reagan's appointments, made with greater care, created a significant minority opposed to political judging, and Bush appears determined to make that minority a majority. He may succeed in his first term, and will certainly succeed if he is elected to a second. In that case, the Supreme Court will once more come to be, and be seen to be, a legal rather than a political institution. For those who would preserve the American form of constitutional government, that is a consummation devoutly to be wished. □

THE LIABILITY RACKET

TEXAS ON TRIAL

EUGENE H. METHVIN

"IN TEXAS, politics is a contact sport," says one Austin politico. The Longhorn State showed the rest of the nation what that means this year, not only in the celebrated gubernatorial contest between Ann Richards and Clayton Williams, but also in the contests for

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three Texas Supreme Court seats, which may have even more serious implications for the country as a whole.

For the past two years the court had teetered 5 to 4 along the classic fault line between activist judges, eager to reshape the law in favor of buccaneering trial lawyers and their clients, and conservatives, who defer to precedent and legislative prerogative. In the November elections the voters handed the activists a stinging defeat.

Starting thirty years ago in California, judges and plaintiff lawyers have completely rewritten America's civil-liability laws. They have redefined notions of tort, and jettisoned long-standing limits on "anguish" awards and punitive damages. Until 1962 there had never been a million-dollar jury award. There were 14 such verdicts in 1971, more than a hundred in 1979, and 562 in 1985. Plaintiff lawyers, who pocket from one-third to as much as 60 per cent of all they win, claim the trend only corrects a historic imbalance favoring defendants. But no one doubts the shift occurred.

Oliver Wendell Holmes in his 1881 classic, *The Common Law*, said, "The state might conceivably make itself a mutual insurance company against accidents, and distribute the burden of its citizens' mishaps among all its members." But judges had no right to do so, Holmes held. "Unless my act is of a nature to threaten others, unless under the circumstances a prudent man would have foreseen the possibility of harm, it is no more justifiable to make me indemnify my neighbor against its consequences than . . . to compel me to insure him against lightning." The situation Holmes feared has arrived in large measure today. And nowhere have the crises of liability, litigation, and insurance crunched more painfully than in Texas.

Happy Trials to You

IN 1980 half a dozen wealthy plaintiff lawyers plotted a political campaign to take over the Texas Supreme Court. The two leaders were Houston's Joe Jamail, "the king of torts," who collected a fee *Forbes* estimated at $420 million in the 1985 Texaco–Pennzoil case, and San Antonio's Pat Maloney, who got the first Texas megaverdict, $26 million for 14-year-old Jimmy Flores, a horribly burned victim of a tank-truck explosion. These tort lawyers realized that, given Texas's peculiar political structure, they could buy control of the state's highest civil court with relatively modest political contributions. They could thus end the difficulties they were having protecting their sky-high jury verdicts on appeal.

They succeeded beyond their wildest dreams. By 1984 plaintiff-lawyer partisans controlled the Texas Supreme Court. The judges quickly served notice that they regarded themselves as a superlegislature empowered to conduct a wholesale revision of the state's liability laws. In 1987, when one justice complained the majority was reversing a specific legislative provision and a ruling handed down just months before, new activist Justice Oscar Mauzy curtly answered: "The makeup of this court has changed. The people, speaking through the elective process, have constituted a new majority."

The liberal activists threw out the legislative limit on medical malpractice awards and the law against awards for mental anguish in the death of a child. They abolished the rule that a person substantially at fault for his own injury could not recover from others whose negligence contributed, and they made it far easier for plaintiffs to win punitive damages. They also made it easier to reach deep-pocket defendants even when they were only remotely related to the plaintiff's misfortune. Consider:

▶A couple put their four-year-old son to work mowing the lawn with their riding mower. He got stuck in a ditch, hopped off to push, and the mower ran over him, cutting off one hand and most of the other. The parents sued. The mother swore she had read the child the manufacturer's manual with all its cautions. Though the mower complied with all safety regulations, the parents' lawyer contended the manufacturer should have installed a switch to stop the machine whenever the driver dismounted. After ninety minutes' deliberation (including lunch), the jurors delivered a verdict of $22 million—the exact amount of the manufacturer's insurance coverage.

▶A ranch foreman ordered illegal-alien Mexican workers to spray a prize bull, Santa Gertrudis Superman 1024. They could neither speak nor read English, the language in which the label cautioned against using the potent insecticide undiluted. Within minutes Superman died. Superman had won only one blue ribbon, and an expert estimated he was worth no more than $20,000; the highest price ever paid for a Santa Gertrudis bull was $125,000. Yet a jury ordered Diamond Shamrock Corporation to pay $1.5 million in actual and $7 million in punitive damages—the highest verdict ever in the death of an animal. (This was too much even for Texas appellate judges; the plaintiff settled for $3.3 million on the eve of a retrial.)

▶At an oil-well-machinery factory, a co-worker told the foreman that Robert Matheson was "not acting right" and "we need to get him off the machines." The foreman, who had 23 employees to oversee, suggested Robert go home and walked him to the plant door. Half an hour later, Matheson crashed his car into another, killing himself and two women. The medical examiner found he had a blood-alcohol content of 0.268 per cent, equal to more than twenty cocktails consumed over two hours. The women's survivors sued Matheson's employer. By a 5 to 4 vote the Texas Supreme Court ruled the company had to pay. The four dissenters protested that the decision left Texas employers with an unacceptable dilemma: risk this sort of suit by doing nothing, or place a suspicious employee under custody at the risk of a false-imprisonment suit. Human beings drunk or sober, the justices protested, are responsible for their own wrongs. The Court, they charged, "will reinforce cynical public attitudes that tort liability is not based upon fault, but upon ability to satisfy a judgment."

Paying the Bill

WITH POTS of gold spilling forth, Texas lawyers went into a feeding frenzy. A small group of attorneys began sending their "investigators" or "runners" to, in the words of State Supreme Court Justice Raul Gonzales, "virtually every accident resulting in serious injury or death." Runners barge into hospital wards and funeral homes offering signing bonuses of $10,000 and more to get a family member's sig-

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Mr. Methvin is a senior editor at Reader's Digest.

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nature on a contingency-fee contract. Lawyers' agents show up at a bereaved family's home with chauffeured limousines ready to take survivors to an attorney's office.

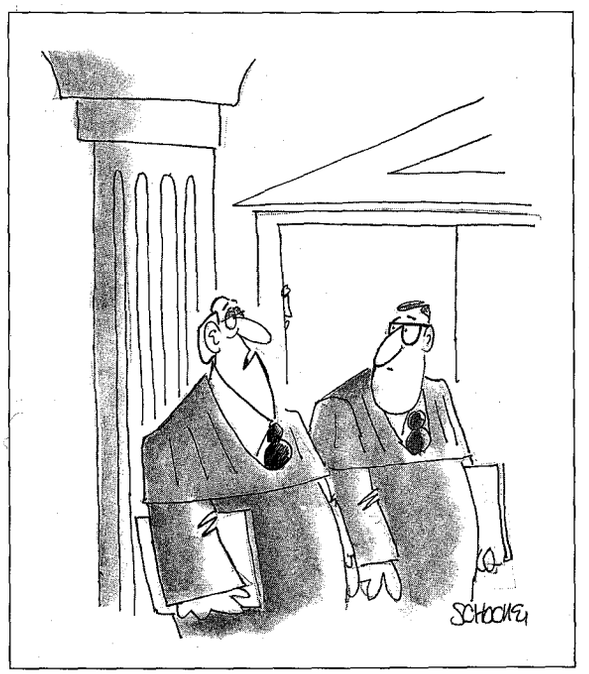
In July 1988, after a North Sea oil rig exploded, killing 166 workers, four Houston lawyers jetted to Scotland and called a press conference while the fires still raged. "Don't call us ambulance chasers," urged lead counsel Benton Musslewhite, who was already on bar-association probation for just that. He went on to extol Texas as "the best place to sue"—"It could top a billion dollars," Musslewhite crowed. (He was suspended for three years when he got home.)

In September 1989, in the Rio Grande Valley community of Alton, a Coca-Cola Bottling Company truck rammed a schoolbus, knocking it into a rain-filled quarry, drowning 21 children. Lawyers from San Antonio, Houston, Austin, and Corpus Christi scurried thither, soliciting parents as they sought their children in makeshift morgues. When one family discharged a local law firm for a San Antonio lawyer, the locals sued the furriner for stealing their clients, and the furriner sued the locals for slander. At least one bystander sued, claiming she was traumatized by watching the accident; and seven members of the rescue squad—which had heroically saved dozens of youngsters—sued, claiming lingering injuries and emotional distress from the rescue. This summer, the grand jury indicted five of the lawyers for barratry.

Looking at the larger picture, a Texas Civil Justice League poll of Texas's 11,900 manufacturers concluded that 30,000 workers lost jobs because of layoffs caused in large part by liability costs. Some 3,200 manufacturers with 340,000 workers are considering dropping all manufacturing or moving to another state. The pollster conservatively estimated that the liability-law system had caused a reduction of $8.15 billion in investment, costing Texans 79,000 jobs.

The nationwide insurance crisis fell upon Texas with a vengeance. Insurance companies' payments under general-liability policies jumped 70 per cent in 1984 alone. The Boy Scouts and YWCA saw their insurance premiums doubled and tripled and their coverage cut.

No one has suffered worse than physicians and their patients, especially the indigent. Doctors quit manning emergency rooms or treating indigents, who pose especially high risks. Nearly two-thirds of the family physicians and a third of the obstetrician-gynecologists in Texas quit delivering babies after malpractice claims doubled and insurance premiums tripled in three years. In Rio Grande City, Dr. Mario Ramirez and his partner used to run a four-bed obstetric clinic for indigent women in their office, charging minimal or no fees. The two doctors had delivered more than six thousand babies over 35 years without ever losing an infant or mother. But with the liability and insurance crises breaking around them, they closed their clinic in 1983. Indigent women fell back on home births, and soon were bringing dead babies to the hospital emergency room, or were brought in themselves near death with babies half delivered.



"Remember the good old days, when a judge could still make a final decision?"

Tide Turning

BUT FINALLY the tide began to turn—as a result, ironically, of the activities of Pat Maloney. The chief judge of the intermediate appeals court in San Antonio caught one of the leading activist Supreme Court justices, C. L. Ray, trying improperly to arrange a transfer of state appellate district for Maloney in two cases in which he had verdicts worth more than $5 million at stake. The newspapers raised a hue and cry, and Frank Tejeda, chairman of the House Judicial Affairs Committee, launched an investigation. Joe Jamail sent a high-priced Houston lobbyist to try to stop the hearings, and Maloney proclaimed, "Tejeda is falling on his Mexican a--."

But as things turned out, Maloney fell on his Irish equivalent. Tejeda, a tough and much-decorated Marine combat veteran with degrees from Berkeley and Harvard, plunged ahead. His investigation loosed political dynamics that ultimately loosened the plaintiff lawyers' grip on the Supreme Court.

Tejeda's probe uncovered one justice who kept a list of attorneys who endorsed or contributed to his opponents and checked it against a list of attorneys appearing in upcoming cases. Though the judicial code makes it a felony for any judge to communicate with any attorney or litigant outside the court's formal sessions about pending cases, court aides testified to repeated improper contacts by Justices Ray and William Kilgarlin, another activist. This was too much for the usually ultrasecret Texas Judicial Conduct Commission, which launched its own probe. Ray demanded an opportunity to appear personally to explain his conduct, but when the commission insisted he give his explanations as sworn testimony under penalty of perjury, he declined the opportunity. The commission found Ray had been given virtual command of an airplane owned by a group of Houston attorneys. Another lawyer flew him and his family free to Colorado for a vacation. His most outrageous offense, the commission found, was trying to influence a trial judge about to preside in a capital murder trial of a defendant whose father was a friend of Ray's. The Commission found Ray guilty on seven counts of "willful and persistent conduct clearly inconsistent with the proper performance of his duties" and issued a public reprimand, the first in the Commission's history. Kilgarlin was convicted of two violations and publicly admonished, also a first.

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The 1988 election presented Texans an extraordinary opportunity to straighten out their Supreme Court. Three justices had resigned, and a sitting justice decided to challenge the newly appointed Republican chief justice, Tom Phillips. So voters had to choose six instead of the usual three justices. A broad coalition of insurance consumers including cities, counties, businessmen, and physicians set out to end the activist dominance by means of an old-fashioned grassroots campaign, distributing millions of wallet-sized "slate cards" endorsing two Democrats and four Republicans, headed by Chief Justice Phillips. The voters came through, and five of the six reform candidates won.

Three weeks after the election, before the lame ducks departed, the court received on appeal a bellwether case. Disregarding playmates' warnings, 16-year-old Carl David Reynolds had coupled eight three-foot metal tentpoles together and touched a Houston Power & Light transmission line strung 26 feet above the ground, ten feet higher than the safety code required. He wanted to "see what would happen." The 35,000-volt shock burned him so badly that both legs and an arm had to be amputated. His parents sued the utility, the builders who built homes near the powerline, and the tent manufacturer. The builders settled with a $2-million payment. The case against the tent manufacturer was dismissed. But a jury found HP&L guilty of "conscious disregard" of others' welfare in failing to post warning signs, and ordered it to pay $2.7 million actual and $1 million punitive damages.

This time, by a 5 to 4 vote, the Supreme Court overruled the verdict. Justice Franklin Spears, one of the usually pro-plaintiff liberals, deserted the liberal bloc. "Looks like they got the message," said one Austin courtwatcher.

On to the Elections

WHILE SOME decisions in the meantime reverted to the *status quo ante* 1988, essentially this was the new climate of opinion going into this November's elections—a climate which the trial lawyers made an all-out attempt to alter. The point man was Justice Mauzy, the prime activist, who challenged Chief Justice Phillips. The scandal-stained C. L. Ray and Franklin Spears retired. To replace them the reform coalition endorsed one Republican and one Democrat.

Chief Justice Phillips, a young and scholarly Houston lawyer, had to face the voters again only two years after his last election because he had been appointed to finish an unexpired term. This year he sought a full six-year term. Astonishingly, three former chief justices, all Democrats, campaigned for him against Mauzy.

To reduce the "justice for sale" stigma, Phillips limited campaign contributions to $5,000 per donor, the first justice to do so. By Labor Day he had 6,500 donors, 60 per cent of them non-lawyers; only 2 per cent were trial lawyers. His opponent, Mauzy, had fewer than a thousand donors; 86 per cent of his contributions were from trial lawyers—and another 6 per cent from their wives.

Thus Texas voters had a clearcut chance to recalibrate the scales of justice. And they delivered a resounding defeat to the plaintiff-lawyer lobby. Phillips beat Mauzy with 59 per cent of the votes, while the other two reform-coalition moderates won with 57 and 56 per cent.

Fort Worth Star-Telegram columnist Tommy Denton, whose father was a longtime Supreme Court justice, sums up the conservative case: "People injured or killed through the negligence of a doctor or business have every right to protection under the law. Yet everyone injured has no inherent right to automatic compensation through some trumped-up stretching of legal theory. We must have judges who can prudently discern the difference and apply the law equitably." □

IRAQ CRISIS—AT HOME

MAKING THE CASE

ELLIOTT ABRAMS

NEARLY twenty years ago John Mitchell attained a certain degree of immortality by saying, "Watch what we do, not what we say." The phrase proved singularly unfortunate for President Nixon's attorney general, but any politician reduced to pleading that his words are unimportant is in big trouble.

And in trouble is precisely where President Bush finds himself as 1990 ends. His efforts against Iraq demonstrate an instinctive grasp of international politics, and particularly of the need for American firmness and leadership at a time of great change and uncertainty. Where he is going wrong is, first, in failing to explain to the American public why they should support him, and, second, in allowing the Congress to undermine his approach without taking any share of the responsibility.

Part of the problem is stylistic. Mr. Bush appears to believe in diplomacy as a private game for the big boys, best conducted as it used to be before nosy reporters and committee chairmen tried to horn in. For better or for worse, it is too late for this style of diplomacy. Personal contacts have served Mr. Bush well, and are valuable tools in any leader's kit bag; they are no substitute for public backing.

But while the need to muster public support is slighted, too much attention is paid to short-term domestic politics. Secretary Baker, whose reference to poll ratings when asked to defend his policy toward the Soviet Union is well remembered, more recently explained that our real Gulf-policy goal is "jobs." When the polls showed Americans were concerned about Iraq's nuclear potential, the Administration was out the next morning with its "Saddam's Bomb Only Days Away" news stories. Worse yet, when the Senate Armed Services Committee hearings rattled the Administration, it responded by offering to send Baker to Baghdad. This decision undercuts the claim that the international coalition is more than an

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American show, and it risks leading other nations into their own private talks with Saddam Hussein. It is a classic case of a bad move dictated by domestic politics.

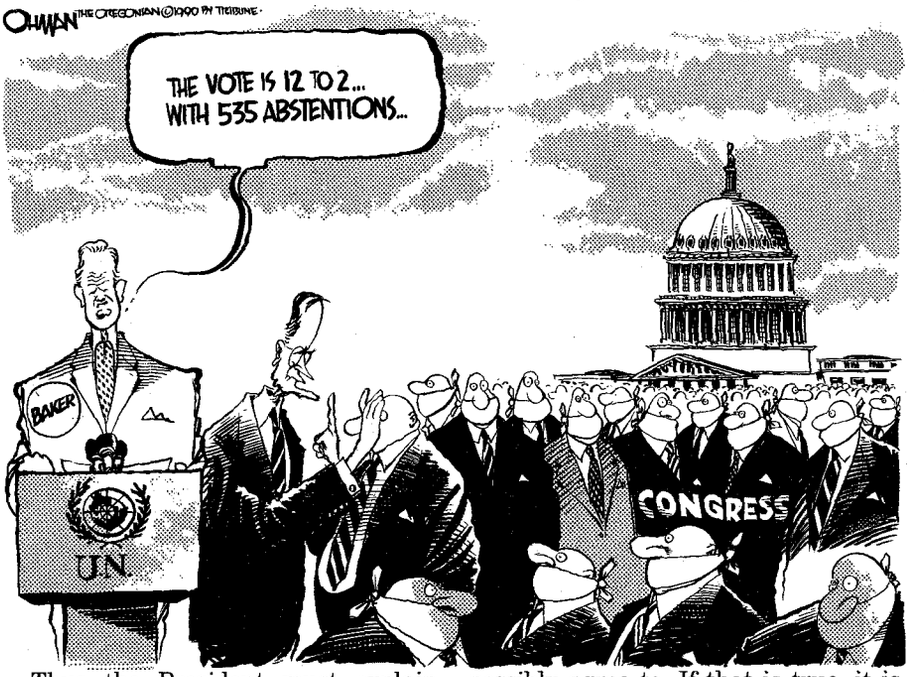
Why Us?

MR. BUSH'S problem, to be sure, is not simple: to explain why Saddam Hussein's regime constitutes a threat to the United States, and why we must lead international action to stop him. The heart of the problem is that Saddam is not, at first glance, a threat to the United States in particular. His unprovoked aggression, his threat to oil supplies, his breaking of the peace in the volatile Middle East, his highlighting of the risk that the post-cold-war international system will degenerate into a series of bloody and destabilizing regional conflicts—none of these is of greater interest to the U.S. than to many other countries. Indeed, given our location, our military and economic strength, and our access to non-Arab oil, we are decidedly less vulnerable than the Japanese, Soviets, or Europeans. So why must *we* carry the burden? This is the question President Bush has not adequately addressed.

Historically, Americans do not jump to enter other people's wars. Many still believe that the First World War lasted from 1917 to 1919, and the Second from 1941 to 1945. It was not arguments about the fate of Europe or the beastly nature of the Nazi and Japanese regimes that produced a declaration of war. American action came when neutrality was rendered impossible by attacks on American shipping and American territory.

During the cold war, every large American action was followed by a reaction that made another such commitment less likely. These years were characterized by the struggle between American leaders aware of the burdens our position as a superpower placed upon the nation, and the reluctance of Americans to bear those burdens. After Korea came the Democratic electoral defeat and the doctrine of "massive retaliation" that promised to stop Soviet misbehavior without having to shed American blood. After Vietnam came another Democratic defeat, followed by the Nixon Doctrine, which postulated that regional proxies like the Shah of Iran could do any necessary fighting for us. The Reagan Doctrine, this time using guerrillas as our proxies, promised to protect American security without sending American boys to the front.

And now President Bush has sent them to the front, in huge numbers. The reason is clear: if there is to be any serious effort against Iraq, the United States must lead it. With the end of the superpower standoff, the alternatives now are an American-led peace or a world of violence and disorder from which we cannot isolate ourselves. American power is now predominant in an unprecedented way, for even in 1945 Soviet Communism stood as a military and ideological challenge. If the most powerful country will not enforce the rules, certainly no lesser power will do so—and there will be no rules.



Thus the President must explain that just as the technology that created U-boats brought to an end a century of American invulnerability in 1917, today's military technology can make us vulnerable to every international pirate. The international system used to be at the mercy of its largest and strongest members, which was bad enough; tomorrow any minor actor will be able to get his hands on terrible weapons and delivery systems and hold his enemies, his neighbors, and the United States at risk.

With every passing year terrorist groups and terrorist states grow more powerful. *Who will win this race?* An American-led effort to stop them, punish them, and disarm them, starting with Iraq, or the terrorist groups and states themselves?

It is a major mistake, therefore, for Mr. Bush to lower his "war aims" and talk only about the "legitimate" government of Kuwait or foreign hostages. The lower the stakes, the less persuasive is the argument that America must act. The counter-argument (advanced by a curious coalition including Arthur Schlesinger, Admiral Crowe, General Jones, and Robert McNamara) that we should wait to test the sanctions is invited by the official statements that we want only Saddam's withdrawal. It is conceivable that he might at some point say yes, and it seems mad to fight only because he did not say yes speedily enough.

Talks with the Iraqis only add to this problem, for talks suggest that we are asking for something Saddam can possibly agree to. If that is true, it is indeed senseless to fight; but if it is not true, if our goals include ending Saddam's threat to peace entirely, what is the point of talking with him? Similarly, any action that seems to treat other supporters of terrorism, like Syria's Assad, as potential or even temporary allies is extremely damaging to the President's own case. How important can it be to fight one of those guys if another equally brutal and dangerous one is fit for the President to sup with?

If the issue is defined as the emir's future, Mr. Bush's cause is lost. It is not enough to talk about the new international order that can emerge if

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we succeed; Mr. Bush must describe more clearly the dangers we face if we fail.

When the goal of our policy is lifted to match the immense effort and possible sacrifice involved; when the President says clearly that our security requires depriving Iraq not only of its spoils but also of its incredible arsenal; when the effort in Iraq is explicitly linked to determining whether we face a peaceful post-cold-war world or a descent into an increasingly violent period of political instability—the logic of the argument will become apparent. And the President will need to send Tariq Aziz home, stop meeting with Assad, and send for Dick Cheney—as he has known he would, and should, since the crisis began. □

END OF THE EIGHTIES

DECADE OF GREED?

ED RUBENSTEIN

WERE THE Eighties a decade of Greed? Was Reaganomics a party for the rich paid for by the middle class? The networks think so. Sam Donaldson says: "The average pre-tax income of the richest 1 per cent has jumped 86 per cent in constant dollars since 1977, while the bottom four-fifths of Americans have seen their pre-tax income actually drop by almost 4 per cent . . . those in the top 1 per cent are paying 35 per cent less than they did in 1977." The Democrats agree: Democratic National Chairman Ron Brown has fashioned the entire "fairness issue" around these notions. And "leading Republican columnist" Kevin Phillips has added the ingredient of bipartisan support with his book *The Politics of Rich and Poor*. The recent budget agreement responded to this new consensus by taxing luxury items and imposing the first increase in the top tax rate since World War II.

There's only one thing wrong with the new consensus. It's all wrong. To demonstrate exactly how it's wrong, let's look at a standard statement of the case, Barbara Ehrenreich's essay in *Time* this past August, amusingly entitled "A Conservative Tax Proposal." Miss Ehrenreich gets to the point right away: "According to a study from the Congressional Budget Office, only the richest 10 per cent of Americans saw their taxes decline. The overwhelming majority . . . are now paying a higher share of their incomes in overall federal taxes than they did prior to the tax cuts of 1978 and 1981."

But the CBO table on which Miss Ehrenreich is relying is sleight of hand in two ways. First, it aggregates a whole series of taxes in order to reach the conclusion that the effective tax rate of the wealthiest 20 per cent is lower than it was in 1977—but that all other groups pay higher taxes now. It assumes, for example, that the entire rise in Social Security taxes was borne by employees (whereas employers pay half the tax) and that corporate income taxes are borne by both capital and labor (economists generally believe that they in fact fall on shareholders). The CBO also ignores non-cash government transfers such as Medicare, Medicaid, and Food Stamps, and employer-provided benefits such as health insurance. The second sleight of hand is to combine a period of high taxes with one of lower taxes, effectively concealing the income effects of tax cuts.

I. Effective Federal-Income-Tax Rates

	1977	1980	1985	1990	Percentage Change, 1980–90
Poorest 20%	–0.6	–0.4	–0.1	–1.5	NA
Second 20%	3.5	4.5	4.0	3.5	–22.2
Third 20%	7.0	8.1	6.8	6.7	–17.3
Fourth 20%	9.6	11.0	9.2	9.0	–18.2
Richest 20%	16.0	17.1	14.4	15.6	–8.8

Source: CBO

If we confine our attention to income tax, moreover, the CBO report clearly shows effective income-tax rates fell further for the poor and middle class than for the wealthy during the 1980–90 period and that these tax changes had far-reaching effects on the distribution of the tax burden and on incomes (see Table I).

Watch the Numbers

WHAT really happened to taxes in the last decade and a half? There was an increase in effective income-tax rates on everyone in the late 1970s, as the table shows, when inflation pushed taxpayers into higher nominal tax brackets. Indeed, this was a major reason for the tax reforms of the 1980s—a point Miss Ehrenreich curiously omits. Then in 1981 the top tax rate was cut from 70 per cent to 50 per cent, and the rest of President Reagan's first tax cut was fully phased in by 1984. Inflation indexation followed in 1985. After that, the 1986 tax reform increased progressivity still further by removing 4.3 million taxpayers from the tax rolls and expanding the alternative minimum tax, which ensures that wealthier taxpayers cannot escape paying taxes altogether.

Between 1980 and 1985, therefore, effective federal-income-tax rates fell for all families except the poorest 20 per cent, who had found their tax rebates eroded by inflation in the Seventies, and now by real income growth after 1982. But the real change comes after the 1986 tax reform, which cut marginal tax rates on all taxpayers while expanding the tax base through limiting deductions. As a result, the richest 20 per cent of families found their effective tax rates rising from 14.4 per cent in 1985 to 15.6 per cent in 1990 at a time when other taxpayers saw their effective rates fall, and the poorest 20 per cent saw their tax rebates rise from 0.1 to 1.5 per cent of income.

So much for income taxes. Let us now accept, for the sake of argument, the CBO's calculations of the total tax rate including its tendentious treatment of Social Security and corporate-tax payments. Does the (alleged)

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decline in the top group's tax rate in fact signify a decline in progressivity? If the income of this group had remained static, or if it had increased at the same rate as that of the other groups, then a declining tax rate would indeed have meant this group paid a lower share of total taxes. That is plainly the conclusion which Miss Ehrenreich hopes to implant in the minds of her readers. Again, however, it's plain wrong. For, as the CBO study also shows, the *share* of federal taxes paid by the wealthiest taxpayers is higher now than it was during the Carter years, while the share paid by every other group is lower. In fact, the share of taxes paid by the wealthiest 20 per cent (see Table II) increased during the Eighties for every tax studied—even Social Security taxes, long considered the most regressive feature of the federal tax system.

II. Percentage Shares of Total Tax Burden

	1977	1980	1985	1990	Percentage Change, 1985–90
Poorest 20%	2.0	1.6	1.9	1.6	–15.8
Second 20%	7.3	7.0	7.0	6.6	–5.7
Third 20%	13.5	13.4	13.1	12.6	–3.8
Fourth 20%	21.7	22.2	21.9	21.0	–4.1
Richest 20%	55.4	55.7	55.9	58.1	3.9
Richest 10%	38.7	38.7	39.0	41.8	7.2
Richest 5%	27.6	27.1	27.3	30.4	11.4

Source: CBO

How do the liberal critics deal with this inconvenient fact? They simply deny that tax shares are a valid measure of progressivity. In their view the share of taxes paid by the rich goes up solely because the income of the rich has gone up still faster. But the incomes of all groups have risen since the Reagan tax cuts—and as Table II shows, the share of total taxes paid by everyone except the top 20 per cent has fallen.

Why Do the Rich Pay More?

GIVEN THAT the liberal explanation is no explanation, the question then is: Exactly why are the rich paying a larger share? Lawrence Lindsey puts it this way in *The Growth Experiment*:

> The rich will pay more taxes at lower rates only if their *reported taxable* income goes up, which it did. This conclusion, however, is not very interesting in itself. The more important question is: why did the rich report more taxable income? If it happened because Reagan shifted the nation's economic playing field in favor of the rich (say by permanently increasing interest income as a share of national income, that is, by favoring capital over labor) then the critics have a point. But if the change occurred because the tax cuts simply encouraged the rich to expose more income to taxation or, even better, to work harder at producing more income, then the Reagan Administration can hardly be accused of unfairly boosting the rich.

Lindsey demonstrates, as conclusively as anything can ever be demonstrated in econometrics, that the financial rejiggerings of wealthy taxpayers ($200,000 and over) in response to the tax cuts were so pervasive that the government collected $11.5 billion more from them than it would have at the 70 per cent rate. His model establishes that *all* other income groups paid less under the new tax law than they would have under the old law, with the largest reduction—18 per cent—going to those earning less than $20,000.

Yet Miss Ehrenreich reaches a different conclusion: "According to the Washington-based Citizens for Tax Justice, the cumulative impact of the past 12 years of tax cuts for the richest 1 per cent will cost the Treasury $158 billion in 1990, not much less than the projected budget deficit."

This conclusion is based on a static line of reasoning: namely, that if 1977 tax rates were reimposed, wealthy taxpayers would continue to earn as much income—and *report as much income*—as they do now. Under such conditions we would indeed be collecting more from wealthy taxpayers. But the reasoning is fallacious—like arguing that taxpayers would continue to work if exposed to a 100 per cent tax rate. The only respectable argument is over how much income taxpayers will conceal or forgo as tax rates rise. Lindsey's research shows that taxpayers—especially wealthy ones—are highly responsive to changes in tax rates, to the point that higher tax rates lead to a less progressive allocation of the tax burden. This simple point undermines all the arguments of Miss Ehrenreich and her allies; yet they have failed even to address it.

But overarching the tax issue is the question of distribution of income. Miss Ehrenreich again sinks into the conventional wisdom: "Real, after-tax income has been falling for most American families since the late Seventies. Only among the wealthiest 20 per cent have real incomes risen noticeably since 1977 . . ." What Miss Ehrenreich is doing here, of course, is lumping togethor two periods: 1977–81, in which statutory tax rates remained static (capital gains being the exception) while effective tax rates rose because of bracket creep; and 1982–88, in which both statutory and effective tax rates were reduced across the board. Making allowances for time lags, the incomes of all groups except the wealthiest fell between 1977 and 1983, and subsequently rose between 1983 and 1988. Between 1983 and 1988 the average family income of the poorest 20 per cent of families increased 7.2 per cent, while that of the top group increased 11.8 per cent. The overall average increase was 9.4 per cent (see Table III).

III. Average Family Income

(1988 Dollars)

	1977	1983	1988
Poorest 20%	5,514	5,061	5,424
Second 20%	13,917	13,527	14,311
Third 20%	23,660	22,925	24,488
Fourth 20%	35,625	35,261	38,221
Richest 20%	63,101	65,101	72,759
All Families	28,364	28,375	31,041

Source: House Ways and Means Committee

Miss Ehrenreich might reply that the comparison is unfair since the period of high taxes was also one of high inflation and low growth, while the Reagan tax cuts were followed by low inflation and high growth.

Well, yes. □

Mr. Rubenstein is NR*'s economic analyst.*

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DECADE-ISM

FLORENCE KING

DECADE-ISM is an American love that never stops speaking its name. Decades are no longer simply a measure of time but a major source of income for the scribbling classes. I know: I had a decade cottage industry going full tilt in the early Seventies when all the newly minted feminists wanted to read about how repressive the Fifties were.

The Fifties were my salad decade, when I was one-and-twenty, so I became the toast of the liberated magazines. My agent would phone and say, "Have you finished the Fifties piece?" and I'd say, "Which one?"

I got paid extremely well for writing what I did not for a moment believe. I didn't find the Fifties at all repressive, but I knew what the magazines wanted so I gave it to them.

I wrote a piece on the sexual frustration of the Fifties co-ed called "Roll Me Over, Lay Me Down, and Do It Again" for *Playgirl*; the editors liked it so much they asked me for a sequel about birth control in the pre-pill Fifties. I wrote "The Contraception Capers," but my agent got mixed up and sent it to *Cosmopolitan* by mistake, and they bought it. That meant I had to dream up another Fifties piece for *Playgirl*, so I did.

In one sense, American Decade-ism is nothing new. A Gay Nineties craze arose during the Depression and lasted through World War II. I grew up seeing movie musicals about turn-of-the-century songwriters and singers: Victor Mature as Paul Dreiser in *My Gal Sal*; Dennis Morgan as Chauncey Olcott; Betty Grable and June Haver as the Dolley Sisters. There was also a radio show that my grandmother loved called *The Gay Nineties Hour* starring an Irish tenor named Frank Munn who sang "After the Ball," "In the Shade of the Old Apple Tree," and a ballad I puzzled over called "The Mansion of Aching Hearts," about a group of sad women who all lived together in a house with a red light in the window.

The Gay Nineties fad differed from today's Decade-ism in two ways: time lapse and attitude. We waited forty years to obsess about the Gay Nineties, and we had fun with it. The celebration of the first decade America nicknamed cast a cheerful glow over the national imagination at a time when the world was anything but gay.

By contrast, our current obsession with the Eighties as the "Reagan Decade" of buccaneering greed is such a festival of precipitate self-flagellation that reading Kevin Phillips & Company makes me feel as if I were caught in a batty time capsule full of masochistic ancient Romans who keep muttering, "Boy, this decline and fall is really something, isn't it?"

Now that a zero has turned up at the end of their date stamps, writers in the Land of Hopefully and Glory are taking thoughtful flying leaps into a literal yesterday in search of Decade-ist solutions to national problems that go back three centuries.

Writing on "The Age of Our Discontent" in the *Washington Post* last June, Jonathan Yardley asked why "so many of us seem to hate each other so much?" and wondered if anyone else had noticed "the nastiness, the meanness and vituperation that suddenly and inexplicably have become the order of the day." After giving examples ranging from racial and sexual antipathies to the booing of Cal Ripken by Baltimore Orioles fans, Yardley casts a short net and hauls in two recent conservative decades:

> We've gotten complacent and smug; we've also been encouraged, in the prevailing atmosphere of recent years, to vote the old "I'm for Me First" ticket, introduced as a joke by Roger Price in the 1950s but elevated to received wisdom by Ronald Reagan and his apparatchiks.

One would think we had no past except for a pair of erstwhile decades, and no political progenitors such as Fisher Ames and Fenimore Cooper, who warned us that democracy would lead to factional strife and civil unrest. Yardley's analysis of our crumbling social contract is restricted to the "received wisdom" of Decade-ism: that anyone who spent the last ten years in anything but a hair shirt was enslaved by a trait unknown in human nature until Inauguration Day 1981: selfishness.

Déjà Vu All Over Again

THANKS TO Decade-ism, time has lost all meaning in the American mind. Our psychological clocks are set to Warped Standard and our approach to the ephemeral emotion of nostalgia is about as ephemeral as copyrighted *déjà vu*—e.g., a movie about World War II starring Harrison Ford and Lesley-Anne Down was blurbed: "Love hasn't been like this since 1943!"

In a manner of speaking, we actually did copyright *déjà vu* back in the Seventies, when we took the very symbol of eternity—reincarnation—and turned it into the latest thing. In *The Reincarnation of Peter Proud*, *Carrie*, *The Other*, and countless Damon-the-Demon, Owen-the-Omen spinoffs, we gorged ourselves on the ultimate American ideal of endless youth and life without death: a reincarnated kid.

Fiddling with time is a sign of deep national stress, as witness the Brumaire and Thermidor nonsense during the French Revolution, when the Jacobins renamed the months. Confident people are relaxed about time. Consider that intriguing dodge favored by Victorian novelists: "In the spring of 187–, Lord Devon called on the vicar."

Or the Sir Walter Scott sentence: "When the reign of the Plantagenet Lion still shimmered in the noonday sun . . ."

Richard the Lion-Heart reigned from 1189 to 1199, a nice neat decade, but neither Scott nor his readers felt obligated to arrange themselves for the convenience of people who edit oped pages. They could afford to be vague about dates because they enjoyed a healthy sense of participation in the national continuity celebrated by such novels.

Miss King's memoir, Confessions of a Failed Southern Lady *(1985), is now available in paperback from St. Martin's Press.*

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Americans, on the other hand, are prisoners of decade loyalty. Our foremost casualty was F. Scott Fitzgerald, the personification of the Roaring Twenties, whose compulsion to keep on personifying his "home decade" killed him at 44. Another casualty is that stormy petrel of the New Deal known as the "little old lady in tennis shoes." When Senator Joseph McCarthy investigated her, she sprinkled her home decade around like holy water, shriving herself by saying, in effect: "I did it in the Thirties so it doesn't count." As for the "greedy" yuppies of the Eighties, whose materialism would have gone unnoticed had they not been hippies first, they acquired the habit of going to extremes in their home decade, the Sixties.

Our Decade-ism is edging us toward the dangerous psychological waters of reification—the act of regarding as material or concrete that which is not.

A certain amount of reification is normal: cartoons portraying winter as Jack Frost or envy as a green-eyed monster. Beyond that, reification usually signifies an overwhelming discontent such as Betty MacDonald describes in *The Egg and I* when, half-mad from being stuck on an isolated chicken ranch with no modern conveniences, she obsessed so much about electricity that she began visualizing kilowatts as peppercorns.

Americans are enthusiastic reifiers. Our class-based fear of fat has led us to reify the calorie, which That *Cosmopolitan* Girl thinks of as a grinning gnome with human capacities for sabotage and betrayal.

Our hypochondria has inspired us to reify the vitamin. A chemical intangible originally defined as a unit of nutritive value, it was long ago imagined to be a pill. Now it *is* a pill; no one except a few precise scientists defines it as anything else. Once the vitamin became a pill, it became "real" according to the precepts of American Cartesianism: "I swallow it, therefore it is."

Thanks to hostility between the sexes, the male ego long ago took shape as a large gaseous bubble ever in danger of deflation from a stray pin. Teeth and a digestive system were added when women's magazines started running articles about "the care and feeding of the male ego." Gradually the flesh became word until the American man was turned into his reified ego—becoming, in effect, a thing which does not exist.

The Inflatable Marriage

THE REIFICATION of marriage has flowered under advice columns about *saving* your marriage and *working on* your marriage, as in: "Every marriage has to be worked on—you can't just let it lie there." Think about that. The American concept of marriage is a clearly etched picture of something uninflated on the floor. To work on it, you get down there and start pumping—what the advice givers call "breathing life into your marriage." Do enough of this and the marriage becomes a kind of Banquo's ghost, a quasi-living entity that prevents the couple from ever being alone together, until the reified marriage comes between them and they get a divorce.

And now we have the reified decade. What does it look like? It's a big square ten-by-ten cut from a virgin

(Continues on page 50)

Are the Great Books Exclusive?

They come from Asia, Europe, Africa, America. Their authors were as diverse as a Jewish lens grinder, a Florentine statesman, an American river pilot, an African bishop, a blind singer from Asia Minor, a Roman emperor, and a Roman slave.

They put the case for monarchy and democracy, for belief and unbelief. They are as diverse and rich as the soul of every man and they give voice to the best in man. They are the most thoughtful, most articulate, the most moving. They turned our world into a civilization.

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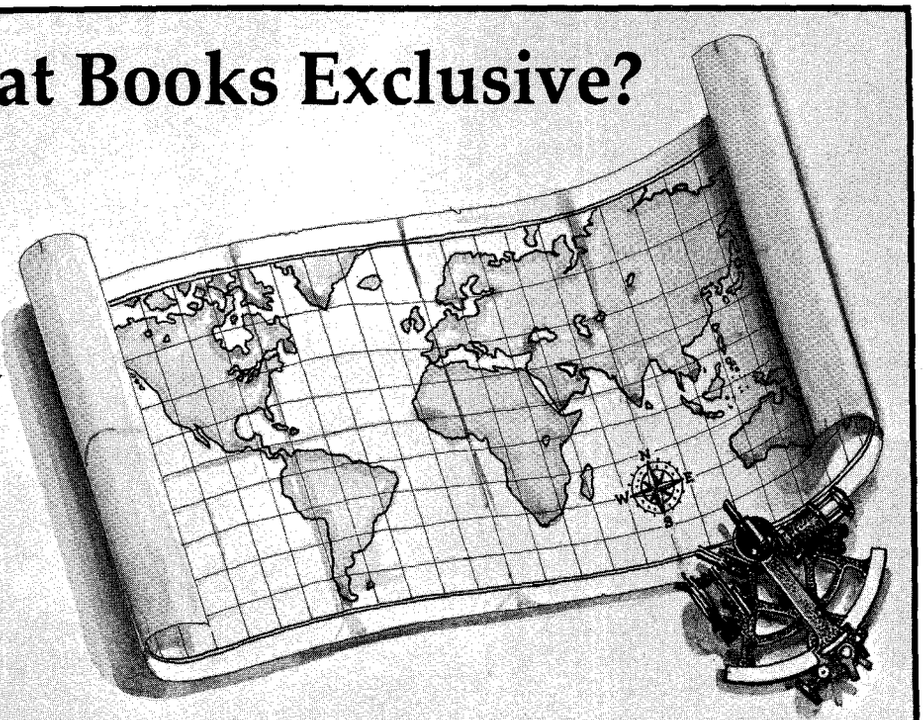

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The Long View

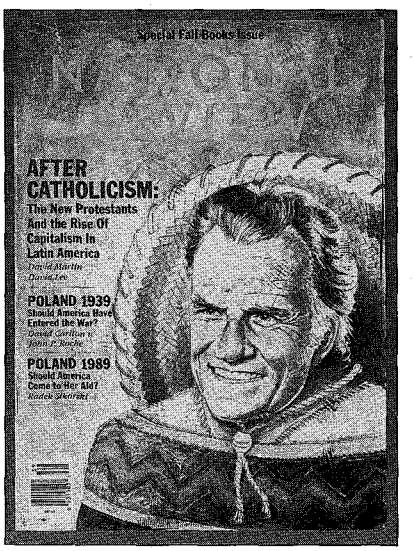
AMBROSE EVANS-PRITCHARD

LATIN AMERICA is converting to evangelical Protestantism. It is happening quietly among ordinary people, and without the patronage of princes. Yet the cumulative effect is beginning to look like a second Reformation. This astonishing turn of events has passed almost unnoticed in the United States and Europe, where liberation theology has stolen the show. It is widely assumed that evangelical conversion in the great Catholic stronghold is marginal, disruptive, and faintly ridiculous.

Just why the commentating classes should be so out of date on this subject is a mystery. There is plenty of good material, but it has been gathering dust in university archives. Now at last it is being made available to the lay reader. David Martin, a professor of sociology at the London School of Economics, has put together a continental survey that draws on scores of studies by sociologists and anthropologists. *Tongues of Fire* is a magisterial work, rich and wide-ranging, that sets the story in the context of four hundred years of struggle between Anglo and Hispanic civilizations. It is not a conservative analysis, but it deals harshly with left-wing bosh about the Protestants' subverting Latin culture or serving as the spearhead of American imperialism.

Tongues of Fire: The Explosion of Protestantism in Latin America, by David Martin (Basil Blackwell, 256 pp., $39.95)

For more than a century, mainline Protestant denominations have been proselytizing in Latin America without much success. Over the last generation their efforts have been eclipsed by a sudden explosion of Pentecostalism, a fervent religion that taps into the substrata of spiritism so pervasive in Latin America. It is propagated by word of mouth: by brothers, sisters, friends, and neighbors—"persons of roughly the same educational level as the Apostles." The churches spring up spontaneously among the poor. They offer faith healing, brotherhood, song, and even ecstasy. Nobody worries much about the grammar of the Creed. This is religion totally autonomous, deregulated. Perhaps some 12 per cent of the population are broadly speaking Protestant, and three-quarters of them are Pentecostal.


Special Fall Books Issue
AFTER CATHOLICISM:
The New Protestants And the Rise Of Capitalism In Latin America
POLAND 1939
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Why is it happening? Because the old order is breaking down. As millions migrate to mega-cities like São Paulo and Santiago, they find a new network, a job-referral agency, and a powerful sense of purpose in the evangelical family of their peers. They also glimpse modernity, perhaps because of a vague association with the United States, but mostly because of the (relatively) disciplined, forward-looking way of life adopted by converts. The Catholic Church has failed to harness this demographic revolution; it is not adapted to shepherding people who have cut their ties and embarked on a new life. It is hierarchical, hampered by a chronic shortage of priests, and viewed as a part of the corrupt establishment, a handicap that liberation theology has been unable to get around since it has a foreign intellectual accent, equally alien to the poor. Indeed, Mr. Martin argues that liberation theology is more foreign than Pentecostalism, which goes native in no time.

The necessary condition for Protestant conversion is, of course, the end of Catholic hegemony over every aspect of life. There is no doubt that this has happened. Latin America is becoming modern and pluralist. Mr. Martin states that the theoretical backdrop of his study "is the breakup of the union between religious adherence and communal belonging"; the question that intrigues him is what kind of secularization will follow in Latin America: whether it will lead to a vibrant, diversified religion, as in the cities of the United States, or to no religion at all, as in the cities of Europe.

He contrasts the experience of England and the United States. Industrialization and social change in eighteenth-century England gave rise to the fervor of Methodism, much as it is giving rise to Pentecostalism in Latin America today. Then the movement petered out. Across the Atlantic, however, evangelical Protestantism has flourished, contributing to the core culture of the United States. Mr. Martin attributes the difference to the early and total separation of religion and society in America, whereas the established church remained in England, even though it lost its monopoly. Both versions of secularization are visible in Latin America today, though the American version would seem to have the upper hand.

His rule of thumb is that Protestant penetration is most successful in countries where the Catholic canopy over the whole society has been rent open (often because of direct assault by anti-clerical regimes) but where the culture continues to be religious. This is the case in Brazil and Guatemala, perhaps 20 and 30 per cent Protestant respectively. In both countries there is a tremendous search for faith. At the

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other end of the scale come Venezuela and Uruguay, both highly secular cultures, where there has been negligible conversion. My objection to this theory is that it fails to account for Mexico, the second most populous country in the region. The Catholic Church was savagely persecuted after the Mexican Revolution and has never recovered. Since the Mexican people continue to be devout, their country should be fertile ground for Pentecostalism, but it is not. So far conversion has been patchy and inconclusive, which may have something to do with the visceral anti-Americanism of the central Mexican heartland.

On the whole Mr. Martin is careful in his claims, and he notes the confused mosaic of Latin American Protestantism. People convert for all kinds of reasons, in all kinds of communities, with all kinds of results. But some fascinating patterns have emerged. Mr. Martin challenges, for instance, the widely held view that missionaries run roughshod over Indian tribes, contaminating pristine cultures with American materialism. There may be cases of this, but there are also numerous cases where evangelical Christianity has given those cultures a new lease on life.

The accusation typically leveled against the sects is that they are either right-wing, by which is meant authoritarian, or no-wing, which is to say escapist, diverting the energies of the poor away from political liberation/revolution. In the language of the Left, Pentecostalism is a "social-control mechanism." Mr. Martin agrees that this is true—sometimes. On the whole Pentecostals tend to be peaceable and suspicious of politics. They are certainly not amenable to a hegemonic ideology like Marxism. On the other hand their churches are egalitarian, fraternal, and varied, and these are the cultural underpinnings of pluralist democracy. If they have tended lately to lean toward the Right in Latin America, it is partly because the Catholic Church has leaned to the Left. The Protestant vote is as much anti-Catholic as anything else.

In any case, they do not necessarily support right-wing candidates. It appears that 60 per cent of Chile's huge Pentecostal community voted for Salvador Allende. In the recent Peruvian elections evangelicals voted massively against the conservative coalition of Mario Vargas Llosa, who made the mistake of trying to whip up Catholic prejudice against Alberto Fujimori. Circumstances determine the political affiliation of evangelicals. Mr. Martin reminds us that, in the early eighteenth century, German Pietism, a forerunner of Pentecostalism, led the resistance against the absolutist ambitions of the monarchy in Württemberg, while doing precisely the opposite in nearby Brandenburg–Prussia, where it more or less became the state religion. In the long run it is unlikely that Latin American Protestants will turn out to be any more right-wing than the rest of their countries' population.

They may, however, be more successful, although it would be wishful thinking to suppose that Weber's Protestant work ethic is going to rescue Latin America from its chaotic backwardness. Pentecostalism adapts all too easily to Latin culture. Nevertheless, converts do embrace an ethic of self-improvement, which can have immediate economic effects: a higher savings rate and the availability of credit secured by moral collateral.

Essentially it works through culture. One study of a Mexican village found that evangelicals placed great emphasis on reading, initially the Bible, then anything else that came their way. A strikingly high proportion of their children pursued secondary education. Another study—in Bogotá by Elizabeth Brusco—takes the line that Pentecostalism is a women's movement, a way of taming the destructive effects of Latin machismo. Women convert first, then try to draw their men into the movement. If successful their effort can change the tenor of family life; indeed it can save family life in a subculture of chronic male fecklessness and abandonment. It is too early to tell how much this can pull the converts up the economic ladder, since it takes two or three generations for a cultural change of this kind to become fully entrenched. It is also difficult to isolate the effects of Protestantism. People gravitate toward the movement because it has the aura of modernity and discipline that they seek. Mr. Martin concludes, carefully, that Pentecostalism seems to harness the "penny capitalism" of the Latin American poor.

One mild criticism from a conservative point of view: Academics specializing in Latin America are a frightfully gloomy lot, forever despairing about the place. By relying on their field work, Mr. Martin has picked up an echo of their voice. My own impression is that there is tremendous dynamism in Latin America, but it has been constricted by bad policies pursued by bad governments.

Even so, there has been economic growth, although it mostly circumvents the bureaucracy and therefore fails to register in official statistics. Now that those bad policies are dead, and mercifully buried, I would hazard that Latin America is on the brink of a boom. Also, it would have been welcome to see some qualification of terms like "dependent capitalism," which dominate the academic argot on Latin America and which creep into Mr. Martin's text. Hernando de Soto has worked ceaselessly to inform us that the problem in Latin America is not capitalism, but the lack of capitalism. □

In Congress Assembled

PAUL GOTTFRIED

THROUGHOUT THIS scrupulously researched interpretation of *The Federalist* papers, George Carey provides a glimpse of our Republic's original design. He shows us what kind of federal union *The Federalist*'s authors had in mind, and indicates how we have strayed from their intent.

The Federalist: Design for a Constitutional Republic, by George W. Carey (University of Illinois Press, 181 pp., $22.95)

Prepared by Publius (Alexander Hamilton, James Madison, and John Jay) for the citizens of New York on

Mr. Gottfried is co-author (with Thomas Fleming) of The Conservative Movement *(Twayne).*

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RANDOM NOTES

■ **S&S, Not S&M.** Bret Easton Ellis, 26, is the author of the successful novel *Less than Zero*, and the not-so-successful *The Rules of Attraction*. His latest, *American Psycho*, is the story of a homicidal yuppie, and contains passages of such explicit sexual violence that when editor Robert Asahina distributed an excerpt of the book at a recent Simon & Schuster sales meeting, it was greeted first by a shocked and sullen silence, and then by spirited but sneaky outrage. Following the meeting a few women huddled with their male supervisors to express concern, but when they were rebuffed with formulaic invocations of the First Amendment, they decided to let the Ellis sludge leak onto the desks of magazine editors.

I have not read the whole of *American Psycho*, and so cannot judge how much, if any, of it is *not* obscene. Until recently, one of the few people outside S&S who had read it all was artist George Corsillo, designer of the dustjackets for the earlier Ellis novels. Mr. Corsillo refused to work on *American Psycho*, because, he said, "I felt disgusted with myself for reading it." I had a similar reaction. It is vile.

When I was managing bookstores many years ago, one especially enterprising and amoral distributor offered us some real hard-core pornography. I accepted a sample, and read about a dozen pages of *Nazi Mistress*. It was pretty grim stuff. The intent of the "author" (whose *nom de guerre* was something like Rex Stagg) was clearly to arouse the reader, although a taste for bestiality was doubtless required for full appreciation. Dog meets girl, you know. The bit of *American Psycho* I have read, in which Wall Street whiz kid Patrick Bateman drugs, tortures, mutilates, and murders two women, is far filthier than anything Rex Stagg ever imagined. Mr. Ellis claims to have written a parody.

Spy magazine—"How Bret Easton Ellis Turned Michael Korda into Larry Flynt" (Mr. Korda is Simon & Schuster's editor in chief)—and *Time*—"A Revolting Development"—published excerpts of the leaked manuscript, but I cannot justify doing so in *NR*. But while I won't quote, I must give some evidence, or expect not to be believed when I say *American Psycho* is pornography, not literature. And I beg your pardon for even this colorless synopsis: In the scene quoted by *Spy*, Mr. Ellis graphically describes how Bateman murders a woman, and then achieves orgasm by copulating with her severed head. It is immoral, but also artless. The plunge into explicitness is puerile—the very antithesis of good writing.

In any case, the bad press the book was receiving led to requests for manuscript copies by Simon & Schuster chairman Richard Snyder and his boss, Martin Davis, head of Paramount Communications. They read it, and agreed to cancel it, and only they know why the decision was made to abandon a book S&S had acquired, accepted, paid for (to the tune of $300,000), catalogued, taken orders for, and was poised to print and ship. Many at the publisher had long been aware of the book's contents. (This includes the legal department, which read and approved the book after Shearson, Lehman, Hutton threatened injunction because Mr. Ellis had Bateman employed by them. Bateman now works for the fictional firm created by Tom Wolfe in *Bonfire of the Vanities*.) Some have speculated that because S&S has been having a bad year, and because Paramount stock has been declining in value, the Big Boys decided that, for once, bad publicity really was bad publicity. Better to have mud on our faces than blood on our hands. Better S&S than S&M.

But were Messrs. Davis and Snyder avoiding damnation or embracing salvation? Most pundits say the former (after all, Paramount has made a bundle on the *Friday the 13th* slasher movies), which would mean S&S, like so many other purveyors of *entertainment*, lacks immunity to the virus of moral relativism. That Mr. Asahina and S&S president Charles Hayward, both superb professionals, did not exercise either moral scruples or professional prudence (by rejecting the book outright, or, failing that, by bringing Mr. Snyder into the picture sooner) indicates not that either man is incompetent, but that both believe whatever a bankable author delivers is publishable. It is a mechanistic management philosophy well suited to the excesses of literary modernism. On the other hand, while none of the principals is exactly a moral philosopher, it may be a limit has been defined. As Jeff Greenfield wrote in the *New York Post*, "Davis and Snyder will be able to say, 'Not with my name, you don't.'"

For two whole days, many columnists and other big mouths called down the secular lightning upon the heads of Mr. Davis and Mr. Snyder. To their credit, neither even bothered to raise an umbrella. Writing in the *New York Times*, the fevered Anna Quindlen made some sound observations about administrative confusion at S&S, but went on to conclude that the decision to dump *American Psycho* was the manifest nightmare of "conglomerization." Writers, she wrote, feared "the day would come when men who know little about books . . . would make publishing decisions guided by profits and press coverage."

Well now, it's a fair bet the men at Paramount/S&S knew perfectly well the press would be lousy either way they played it (and Miss Quindlen probably would have used her column to attack S&S if it *had* published the book), but it's hard to see a profit motive in a decision that costs a company $300,000. It is highly unlikely other S&S books would have suffered, and more than likely *American Psycho* will be a bestseller. I say, *will be* . . .

It was conjectured that one of New York publishing's sleazier houses would jump at the chance to capitalize on all the publicity and snatch up *American Psycho* the minute Mr. Ellis's agent, Amanda "Binky" Urban, placed the degrading pulp in their greedy hands. So when it was announced that Knopf publisher Sonny Mehta had acquired the book for Vintage, paperback publishing's classiest imprint, you could hear chins striking desk tops all over town. *Sick* transit, Gloria! The *Washington Post*'s Jonathan Yardley commented: "Simon & Schuster's trash turns out to be Knopf's treasure; what this says about Knopf . . . needs no elaboration." Actually, it does, but that will have to wait.

L'affaire Ellis mirrors a larger *Kulturkampf*, although it is not literally a conflict between church and state. *American Psycho* is forcing liberals and libertarians alike to ask whether or not there are limits to the moral immunity of art. Mr. Ellis is being pilloried by commentators Left and Right, but to be opposed to infamy is not the same as to be in favor of virtue. The anti-degradationists and those who are pro-decency may now and again make common cause, but only the latter have a firm hold on the difference between good and evil.

—Brad Miner

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the eve of the ratification vote, *The Federalist* reflects the overriding interest Publius had in the short-term goal of obtaining votes, yet his observations have been correctly recognized as a timeless statement of political thought. Mr. Carey begins his study by looking at the dominant interpretation of the Constitution (derived, to be sure, partly from a study of Publius) that the Founders wished to frustrate the popular will by imposing multiple "filters" on the Federal Government. Countervailing branches, a judiciary intended as a check on elected representatives, and the indirect election of senators have all been seen as measures designed by the Founders to defend against a majority's attacks on propertied citizens. Mr. Carey notes that both conservatives and liberals have clung to this interpretation, for their different reasons: conservatives because of a fear of popular government and an interest in proving that the Founders, like themselves, favored a mixed regime with aristocratic elements; and liberals because of their eagerness to reconstruct the Constitution on the basis of an egalitarian ideal.

Mr. Carey's own reading is clearly majoritarian. He argues that Publius intended the proposed federal union to be an "unmixed republic," and that, moreover, "there [were] to be no qualifications [for office] of wealth, of birth, of religious faith, or of civil profession." If the new federal union was subject to factional struggles, what was needed was a "republican remedy for the diseases most incident to republican government." Publius, as interpreted by Mr. Carey, hoped to find such a remedy "in the extent and proper structure of the Union."

Mr. Carey's detailed study rests on three recurrent premises. First, the Founders were setting up an "extended republic," which by its inclusiveness could control the problems of factionalism. A republic containing sufficiently varied interests would not become easily polarized or produce a constant, overbearing majority that would crush dissenters.

Second, the Founders did not establish filters in order to cope with majoritarian and factional threats to liberty. Publius identifies tyranny not with willful majorities but, as *The Federalist* makes explicit, with "the accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective." The Founders were more afraid of institutions' concentrating power than of the impact of majorities because they believed that in an extended and representative republic, as opposed to a small and direct democracy, compact majorities would not easily form.

Third, the Founders never doubted that Congress would be the strongest branch of government and attached to it both their deepest concerns and their highest hopes. Congress at its best, it was thought, would stand above the intrigues of state governments, mediate factional disputes, and draw from the best elements of the states. All the same, the Founders were concerned about the danger of tyranny inherent in congressional rule. The other branches of government were seen as necessary, albeit not always sufficient, checks on the actions of the federal legislature. Like his mentor, Willmoore Kendall, Mr. Carey takes congressional supremacy in the Constitution as a self-evident truth. The other branches of government were designed not to supplant congressional authority but rather to restrain it.

Mr. Carey's populist interpretation of *The Federalist* will certainly not please all of his conservative readers, some of whom will desperately reach for the customary arguments about filters and mixed regimes. I, too, would like to believe in those arguments, but I am genuinely impressed by the thoroughness of Mr. Carey's unbiased scholarship. Yet his populist, majoritarian reading of *The Federalist* should give the Left even less comfort. He mentions that Publius was indifferent to a Bill of Rights and paid no heed to the issue of federally enforceable civil liberties. His Publius was outlining only those specific functions that the federal union was meant to carry out, and was therefore unconcerned with expanding liberties, or with "the intellectual and moral improvement of the citizenry" as a specified end of the Federal Government. Publius also avoided the language of communal virtue associated with ancient republicanism. He sought to establish a regime that secured life and property, while leaving other tasks to local authorities and civil society.

Mr. Carey speaks of Publius as intentionally "lowering the horizon" of government by focusing on operational rather than moral and theoretical questions. But despite this presumed shortcoming, he praises the "unique character of American political thinking," its independence of "abstract rights or claims," and its quest for "ordered liberty" through a study of historical example.

The one limitation of the system expounded by Publius is its necessary dependence on a largely self-sufficient civil society. The weakening of the social bond and of social authority has engendered the crisis of constitutional government lamented by Harry V. Jaffa and Gottfried Dietze, as well as Mr. Carey. Both Publius's commonsense virtues and his "realistic assessments" may be needed to understand how the old balance between a limited constitutional republic and a cohesive society can be restored. □

Endgame?

THOMAS MOLNAR

MAKING MY WAY through this diffuse yet easy-to-read volume, I kept noticing what the book is *not*: not a novel, an essay, a history, a work of theology. It has elements of each, but falls into no clear category. At the end of its seven hundred pages, I still hesitate to classify it.

The Keys of This Blood: The Struggle for World Dominion between Pope John Paul II, Mikhail Gorbachev, and the Capitalist West, by Malachi Martin (Simon & Schuster, 698 pp., $24.95)

At least this much is clear. There are two heroes, Gorbachev and Pope

Mr. Molnar, a long-time contributor to NR, *is author of the forthcoming* Philosophical Grounds *(Peter Lang) and* The Church: Pilgrim of Centuries *(Eerdmans).*

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John Paul II. Both are vying for world leadership, with what Malachi Martin broadly calls "Western globalists" as the third competitor in a "geopolitical endgame." "There is no mystery for John Paul about Gorbachev's design," he writes. "It is the late-twentieth-century version of Lenin's old 'Workers' Paradise,' but intelligently purged of the crudities and stupidities that marred Lenin's vision."

Among the lesser players in the drama are: Trilateralists, the KGB, New Agers, internationalists, transnationalists, mega-religionists, globalists, and high-ranking "Judases" inside the Church, not to mention other naïve world-planners such as Francis Fukuyama and Jacques Delors.

As can be surmised from the outlines of this large fresco, it takes a while for the subject of this book to become evident. The larger-than-life-size reportage is at times out of breath, and it does not quite fill the stage so ambitiously set. The reader has the impression that the author is scraping the bottom of the desk drawer, delivering little lectures on the oil crisis, foreign debt, the death of rain forests, and water pollution. There is usually muscle to the writing, but the aims and scope of the project are simply too vast.

Fred Carlson

The story acquires narrative thickness only as we come closer to the "secrets" of John Paul's pontificate, the second half of the volume. Here Malachi Martin lays his own cards on the table: he is no longer a chronicler of world events, but a concerned former Catholic priest, witness to the war between the Church and all who would weaken it from within and without. For Martin, men like Stefan Wyszynski and Karol Wojtyla are athletes of Christ battling those afflicted by the "Judas syndrome" (the sin against the Holy Spirit) and also the pressure groups of humanists, globalists, and their endless, always reviving lobbies. Always, in whatever form they take, the objective is the same: the destruction of the Church's marvelous balance among its monarchic, aristocratic, and popular elements, and of its sense that parallel to the profane course of events there is an accompanying theme, God's providence. It is hard to know whether those of the destroyers who are priests are ideologues or fools, observes Martin. But clearly they all share the Judas syndrome—or, as Kierkegaard said of other bishops and clerics, they are not even honest doubters, they are simply disobedient.

The question that most obsesses Malachi Martin, and legions of others besides, is: Why does Karol Wojtyla, who as Pope kissed Wyszynski's

RIGHT BOOKS

■ Arthur Koestler was one of those rare figures in modern political literature—the principled materialist—whose grim outlook only gave him a more profound sympathy for mankind. From the early Fifties onward, he wrote vast and lucid works on scientific questions, resolving to leave spiritual matters to the clerics, and yet inevitably he is remembered as the author of *Darkness at Noon*, the study of a soul defenseless against an evil of its own devising. His sorrowful, world-weary philosophy might easily have become a posture, like Hemingway's stoical sensualism, but he was far too honest for that. Koestler had as great a command of sensual images and of the workings of the inner life, yet in his work there is not the same undercurrent of self-pitying despair one often finds in Hemingway. His characters are not merely absorbed in resolving personal traumas, but are concerned with moral issues beyond themselves.

Like most of his fiction, *Arrival and Departure* (now re-issued in the Penguin Twentieth-Century Classics series, 190 pp., $7.95) is about one man up against a malevolent totalitarian regime. But unlike the old revolutionary in *Darkness at Noon*, Rubashov, Peter Slavik is not an accomplice to the regime who must now submit to the fatal logic of his own doctrines. He is an innocent victim who, having escaped to "Neutralia" in wartime, must decide what his duties are to those left behind. Having witnessed the beatings and deportations and mass executions, can one in good conscience flee to safety?

For most of the novel, it looks as if he will flee. In Neutralia awaiting passage to America, he meets Dr. Sonia Bolgar, a psychologist who "made the secret obvious and surrounded the obvious with a halo of secrecy." Through days of tormented psychoanalysis, Sonia relieves Peter of his sense of guilt and "fictitious" moral obligations. After her departure, though, the doubts return, and he imagines what Sonia might say: "'You belong to yourself—that is the gift I made you. . . . What more do you want?' 'Not to be ashamed of myself.' 'What are you ashamed of?' 'Of walking through the parks while others get drowned or burned alive; of belonging to myself while everybody belongs to someone else.'"

Then, too, there is another reason why Peter seeks safety and freedom: Odette, the nubile Neutralian with whom Peter falls in love, and who promises to wait for him in America. To sacrifice himself for those others would mean leaving her, too. "Perhaps Sonia was right," he reflects, "and only those who lived for the Present were really alive, only the Present had color and smell and taste. When he saw Odette there seemed to be more oxygen in the air. It seemed to him that before he must have lived in a state of slow suffocation, without noticing it."

Only moments before his ship is to leave does Peter decide his fate. Sonia was right about giving up one's political illusions, he concludes, but not about those "fictitious" allegiances. "'This is the ark and behind you is the flood,' Sonia would have pleaded. Yes, Peter reflects as he disembarks, but there ought to be at least one man who runs back into the rain, "to perish with those who had no planks under their feet . . ."

—MATTHEW SCULLY

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hand—a great symbolic act—not clean up the mess? Because, answers the author, this is a "geo-religious" pontificate. John Paul wants to restore the Church's power, as his mentor set himself against the Warsaw apparatchiks. In other words, he does things in reverse, first the power and the glory, and only then order in his own house.

Mr. Martin believes the Pope is convinced that evil has eaten itself too far into the marrow of the modern West and that disciplining the little sons of Judas in the Church would be of no avail. The very existence of the Church is in question, and the author proposes several hypotheses about how it may turn out. In an intriguing last chapter, Mr. Martin relates how the "next pope," Valevska, calls a Consistory of 153 cardinals, and in one speech rebuilds the Church along the old lines. Forty-six of the cardinals stare at him with murderous eyes. The curtain falls, the book ends—carrying the author's hopes and ours.

Now a short, partly critical, epilogue of my own. *The Keys of This Blood* reminds me of the recent six-hundred-plus-page work by Umberto Eco, *The Name of the Rose*. This too, is of an indeterminate *genre*. It too is built around a heresy, in this case one favored by the author, that of the radical Franciscans (Fraticelli), which matured for a century and then broke open in the fourteenth. An energetic pope, John XXII, put an end to its social anarchism, but of course such wounds keep festering; in a sense this one has done so for six hundred years. John XXIII, who called together Vatican II, must have taken that name and number in the belief that he might close the wounds. He merely reopened them. Malachi Martin's report continues, in a way, Umberto Eco's, leaping over centuries, but it is basically the same story with new characters. The issues persist.

Why do I call my epilogue critical? Because Umberto Eco's story was not an endgame, nor is Malachi Martin's. I criticize, in as friendly a way as I can, his pessimism. This very sophisticated former Jesuit, whose camera eye penetrates all, falls victim to the *genre* he chose. It is in the nature of this sort of work to build up a case and then to end with a drama. Malachi Martin evidently felt compelled to darken the conclusion, and also to explain his hero's baffling paralysis. My own sources confirm a large part of his diagnosis: this pope is set on re-rooting the Church planet-wide, but he adopts at the center an attitude of benign neglect very different from Pope John XXII.

But does this really constitute an "endgame"? True, we are not in the fourteenth century, when, for all the state/Church conflicts, Christian princes ruled the temporal order. The Church is now a minor, merely tolerated, partner of the ruling civil society, itself a sort of new church for globalists and mega-religionists. The latter's arrogance will also be their downfall; besides, history is moving from under their feet. The game is not over. It will never be. □

FILM

Odd Couples

JOHN SIMON

IN ***Reversal of Fortune***, as you may know, the millionairess Sunny von Bülow is lying in a coma that, unlike fortune, is unfortunately irreversible. Claus von Bülow, her playboy husband, has been found guilty by a Newport jury of twice trying to kill her with insulin shots. Alan Dershowitz, the high-powered Harvard Law School professor, is about to win an appeal for a new trial, in which von Bülow will be acquitted. Claus, a Danish quasi-aristocrat, as flippant as he is eccentric, is being flip again. Dershowitz exhorts: "This is life and death. Your wife is laying in a coma."

God knows, bad English is not the worst offense of this thoroughly offensive movie, written by Nicholas Kazan (son of Elia) from Alan Dershowitz's book, and co-produced by Elon Dershowitz (son of Alan), who is portrayed by Stephen Mailer (son of Norman). But in momentous moments of stress and tension, there is nothing like a piece of whopping illiteracy to reduce everything to a ridiculous shambles. I don't know who laid that "laying" on us: Alan D., Nick K., or Ron Silver, who enacts Alan—or, for that matter, Barbet Schroeder, the "highbrow" French director, whose English is usually good. Let them share the blame.

Respect for any rules or decencies, however, is not what this movie is about. For starters, the voiceover narration throughout is by Sunny (Glenn Close), the woman in a coma, as the camera promptly shows her (in flashbacks, she is vertical). To me, there is something ineffably tasteless, almost sacrilegious, about using someone brain-dead as a dramatic device, exploiting the disparity between her actual condition and the mischievously jocular things she says (totally out of character for the first shy, then withdrawn woman she was in her active life) to elicit a kind of metaphysical titillation. (Jack Kroll, in *Newsweek*, calls this one of the film's many "clever, unsettling, and even brilliant ideas.")

The film provides highlights from the first trial, and ignores the second. It concentrates, like the book, on showing how Dershowitz got Claus off the hook, even though he found him personally uncongenial: a hard-working, by no means uncelebrated or underpaid Jewish lawyer from a humble background, small of stature, casually dressed, and unsightly, confronting a tall, well-spoken (British accent with Danish highlights), elegantly attired and expensively groomed upper-cruster, doubtless anti-Semitic. (His father, a drama critic, was one of Denmark's very few Nazi collaborators; his mother was indeed a Bülow, but the "von" is entirely of Claus's making.) Their verbal sparring is not uninteresting even in the movie (though doubtless juicier in life), especially when there are others present, e.g., Claus's new mistress, Andrea Reynolds, a Hungarian adventuress; or Dershowitz's Harvard students, a large team of whom went to work on every aspect of the case with the task of unearthing in a hundred days something that would justify a retrial. They did: a technicality.

And that's just it. The film makes much of several ironies. It is the crass Andrea who advised Claus, "Get the Jew!" And Dershowitz, who was at

Mr. Simon, NR's film critic, is also theater critic for New York *magazine.*

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first sure that Claus was guilty, nevertheless managed to convince himself of Claus's innocence (though the film, finally, implies otherwise). He was paid an enormous sum by Claus, but, as the film keeps relentlessly and sanctimoniously reminding us, all the money went into the defense of two young blacks on death row down South, whom Dershowitz has thus far kept alive. What we see of Claus's home life—total frigidity with Sunny, both carnal and climatic, she insisting on open bedroom windows through the long winter nights at Clarendon Court, their Newport mansion—is contrasted with Alan's life as a *mensch*, a warm friend to his students, his son, and an ex-girlfriend especially invented for the movie, who comes to work on the Claus research team. Every chance they get, they play basketball; during these games Alan sprouts his best ideas.

But the main irony is ignored. It is that in working-class Providence, R.I., a city known for its political corruption, the case (unlike in upper-class Newport) was in the hands of a suspect legal apparatus and a benighted jury. Dershowitz, on the other hand, disposed of a battery of crack law students whom he did not even have to pay, and who worked their butts off for their famous and fatherly mentor. And indeed it is a student who makes the crucial discovery that his prof is able to parlay into a victory. And all the time Claus's case was financed by a son of his former employer, J. Paul Getty, who seems to have poured a cool million into it. We hear Dershowitz make some impassioned speeches about how even rich (well, richly married—Claus had no money of his own) immoralists deserve a fair trial, etc., etc., etc. But the final, unexplored irony lies precisely in that "even": I have very little doubt that the rich can buy themselves first-class consideration; it is the others I worry about—others who don't make such good political capital as the two blacks on death row in the South.

Alan Nahigian

Some of those who knew Claus have pointed out mistakes in the film about the décor at Clarendon Court and some of the details of the von Bülows' daily life. What matters more is that all the major characters in the film are distortions of reality. Sunny was not the hard-edged, cigar-store-Indianish virago into which Glenn Close turns every character she plays; rather, she was a pretty, unbright, lost little rich girl who married consecutively two European aristocrats or pseudo-aristocrats with neither of whom she had much in common, and who, unsuccessful socially, withdrew more and more into neurasthenia. Miss Close's performance doesn't come close.

Claus was (is) a very tall, large-boned, sinisterly attractive man-about-town, a strange mixture of outward solidity and inner sociopathic deviousness. The actor who could have properly portrayed him, starting with physical resemblance, is the late Curt Jürgens. Jeremy Irons, a charming lightweight and flibbertigibbet, too vain to espouse even Claus's near-baldness, gives the man an almost touching brittleness. He has clearly studied Claus's speech, and even though he can't get the soupçon of Danishness, the voice emerges so ponderously out of that weak face as to seem piped—or bassooned—in electronically.

Ron Silver comes nearer to being Dershowitz, but though he has the original's Jewishness and raffishness, he lacks his puniness and ferretiness. Still, he is at least in the ball park, or is it theme park? The only reality in the film is in the opening helicopter shot of Newport's Millionaires' Row; after that, tendentious fiction takes over. Particularly specious is the way the research team is cast: carefully balanced between men and women, blacks and whites, Occidentals and Orientals, WASPs and Jews and Hispanics. It's not so much the Harvard Law School as the Family of Man.

Especially hilarious is the early scene in which one bright female student—self-righteously played by the smug Felicity Huffman—starts to walk out on the team rather than defend the manifestly guilty Claus. There follows a holier-than-thou Q&A session wherein Dershowitz, via Socratic dialectics, proves the nobility of the cause, as opposed to the man. But what the movie is finally selling—aside from titillation (famous criminal case), catering to low curiosity (how do the very rich live?), and ego massage (the rich are weird and unhappy; *you* are better and better off)—is an oddball fun couple, somewhat in the Schwarzenegger–De Vito mold: von Bülow and Dershowitz, the blueblooded Bluebeard and the ethnic legal beagle together in a glitzy caper.

■ *White Palace* and *Tune in Tomorrow*, though quite different, have one

NOW SHOWING

The Freshman is an equation of unknowns. Brando's craft is less the actor's than the taxidermist's.

Henry & June was filmed without an ounce of imagination, genuine eroticism, or aesthetic sensibility.

Miller's Crossing combines rock-bottom film-school experience with high-level pretension.

Presumed Innocent is not up to the book. Harrison Ford looks more and more like an Edsel.

Pretty Woman, starring Richard Gere and Julia Roberts, has to be seen to be disbelieved. It is the story of a pair of golden-hearted whores who become honest, married lovers. (Now on videocassette.)

The Two Jakes glories in its deviousness and inscrutability. Jack Nicholson is no Roman Polanski.

Wild at Heart is a cul-de-sac of a road movie in which nothing leads anywhere or makes the barest minimum of sense.

—John Simon

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thing in common: an older woman involved with a much younger man. Whether this becomes a trend depends on the final box-office figures. With luck, we may soon see jubilant crones disporting themselves with Romeos in knee pants.

White Palace, from a novel by Glenn Savan, is about how a rigid, Jewish, yuppie widower of 27, oppressed by a dreary bourgeois family and friends, finds salvation with a 43-year-old Christian hamburger-joint counter girl who worships Marilyn Monroe and dispenses awesome oral sex. As directed by Luis Mandoki, the film could have been interesting but for the simple-mindedness Hollywood exacts from its so-called "adult" movies. The trappings of maturity, why not? As long as we keep a solid core of cuteness and cliché.

Here the social issue of how a blue-collar White Palace waitress can be made to fit into a prosperous and hidebound middle-class Jewish society is reduced to comic-melodramatic confrontations that sidestep the small, grinding awkwardnesses of reality. The one area for which so-called adultness is reserved is, of course, sex, where the education of the yuppie (a dull James Spader) by the waitress (Susan Sarandon) is conducted in fairly explicit bedroom detail, featuring fellatio at the beginning and tabletop sex in a crowded restaurant at the end. The original ending was more restrained, but market research prompted the more "romantic" one.

In short, *White Palace* is a triumph of hokiness parading as veracity. But it does have one thing going for it: Miss Sarandon. She finds marvelous ways of being sensual and sensible, unpolished but intuitive, and, best of all, earthy. It's that sort of honest, soiled but human, characterization we usually get only in subtitled movies. Don't be put off by the publicity posters showing Spader nibbling on Miss Sarandon's breasts or being swooningly suckled by her—I'm not sure which. That shot is not in the film; what is, is a performance worth catching regardless of all else.

Tune in Tomorrow, on the other hand, is an inept transposition of Mario Vargas Llosa's *Aunt Julia and the Scriptwriter* from South America to New Orleans, with even the title flattened out after some market research. In Jon Amiel's film the changes have defanged the book, beginning with the casting of the older woman and the young man. The latter is played by the stolid Keanu Reaves with the stunned expression of someone debilitated by his very first head cold. And the older woman (36, no less!) is played by the perennially juvenile and surgically rejuvenated Barbara Hershey, looking 23 going on 18.

But the film's worst offense is the character lead, the kooky screenwriter, played with bovine charm by the would-be puckish Peter Falk. Starting with the fact that the novel's plausible Argentine-hater has been turned into a pointless Albanian-baiter (and he doesn't even stick to that nationality), we have here an American attempt at the kind of thing Alec Guinness specialized in, multifaceted eccentricity, for which leering cloddishness is a poor substitute. □

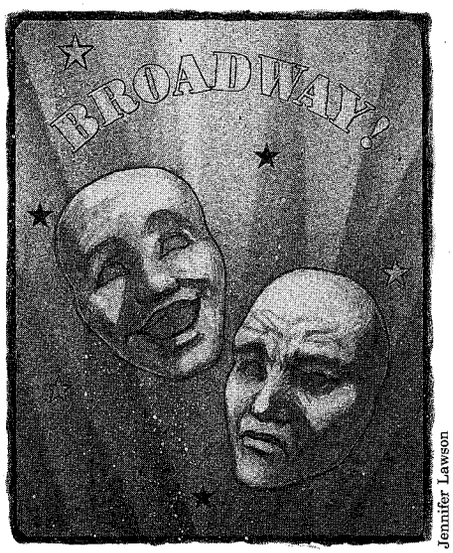
THEATER

Slouching down Broadway

EVA RESNIKOVA

YOU KNOW it's a dull season on Broadway when extra-theatrical events consistently upstage anything happening onstage. The offstage shenanigans began with the *Miss Saigon* row [see "Eastern Standard," *NR*, Sept. 17]. This was followed by the *Oh, Kay!* scandal, with David Merrick, the veteran producer famous for his unorthodox publicity schemes, lodging a protest against *New York Times* theater critic Frank Rich in the form of a poison-pen valentine, which managed to get past the advertising-acceptability department and into the first edition of the Newspaper of Record before being pulled: a heart enclosing derogatory quotations about the show from the pens of both Mr. Rich and his girlfriend, newly ensconced *Times* theatrical-gossip columnist Alex Witchel, who attended the show with Mr. Rich and, according to Mr. Merrick, giggled, whispered, and nudged the chief critic throughout. Ten days later, a large chunk of high-tech scenery KO'd leading man Philip Casnoff during a preview of *Shogun*, ending the performance and leading to speculation as to whether the already troubled show would go on. Mr. Merrick was reportedly furious at the change in focus in theatrical gossip.

Onstage, Broadway has been especially weak this season in serious, or even comic, drama. Apart from a ***Miser*** at Circle in the Square redeemed solely by Philip Bosco's performance in the title role, there are only two straight plays, both of which originated elsewhere. An off-Broadway transfer, John Guare's ***Six Degrees of Separation*** is the lone original American play of the season. Loosely based on a true story, *Six Degrees of Separation* concerns an impostor who passes himself off as the Harvard-educated son of Sidney Poitier and insinuates himself, through the flattery of wanting to be just like



Jennifer Lawson

them, into the lives of wealthy, sophisticated New Yorkers whose own children reject their values and choices. Part comedy of manners, part morality tale, all brilliantly directed by Jerry Zaks, the play is clever, entertaining, and engaging—though not, I fear, the transcendent experience insisted upon by some of its champions.

The greatest hurdle of the evening is suspending disbelief sufficiently to accept the premise of the impostor's transformation. After all, even Eliza Doolittle was trained only to make

Miss Resnikova reviews theater for NR *and dance for the* New Criterion.

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small talk, not to hold forth on weighty intellectual topics. Courtney Vance's difficulties with upper-class enunciation do not help matters. But Stockard Channing gives a wonderfully nuanced performance as the society matron whose encounter with the fatally charming outsider awakens in her the suspicion that there is something essential lacking in her hitherto largely unexamined life.

Also based on real-life events, the British import ***Shadowlands***, by the film and television writer William Nicholson, similarly involves a settled, middle-aged protagonist whose life is irrevocably altered by the invasion of an outsider. In this case the quarry is the Oxford don and confirmed bachelor C. S. (Jack) Lewis, author of Christian apologetics and the Narnia stories, whose placid existence is upset by the sudden arrival on his doorstep of Joy Davidman—American, converted Jew, and soon-to-be divorcee. The unflinchingly honest and outspoken Joy eventually breaks through Jack's British reserve and emotional repression, setting him free to love—and to suffer; for no sooner has Jack realized his capacity to love than Joy is afflicted with fatal bone cancer, leaving him both grief-stricken and bereft of his previously entrenched beliefs.

Nigel Hawthorne, best known in this country for the television series *Yes, Minister*, is funny, touching, and believable as Jack. As Joy, Jane Alexander does all that is possible with the role; but the character remains woefully underwritten, as if brashness of manner were enough to define this complex woman. We know nothing, for example, of her rejection of Judaism, and hardly more of her emotional life with an abusive husband. Elijah Moshinsky's clumsy staging is surprisingly lacking in rhythm for a director with extensive experience in opera.

The only original Broadway musical of the season, ***Shogun***, is also the only unqualified disaster—a bloated nightmare of stylistic miscegenation featuring, among other things, the latest computerized technology (an earthquake), stylized effects from Japanese Noh theater (blood represented by red streamers, a river by a length of pale chiffon), nineteenth-century Russian ballet (an opening-scene shipwreck straight out of *Le Corsaire*), and artsy girlie numbers in the manner of Florenz Ziegfeld (a stunningly gratuitous ballet of scantily clad dancers pursuing fireflies). The story, based on James Clavell's epic novel, is largely incomprehensible as it races by in fast-forward, while the music, by Paul Chihara, is notable only for its lack of individuality. At its most memorable, the score sounds like the mature Andrew Lloyd Webber of *Aspects of Love*—which is not a recommendation.

One's heart goes out to the actors and dancers who give their all to this nonsense, especially June Angela, who has a lovely operetta voice, as the conveniently English-speaking Lady Mariko, and the sumo-sized Francis Ruivivar as the most genial of the *daimyos*. As Blackthorne, the marooned English sea captain, Philip Casnoff is game but at sea, lacking in Englishness, authority, and high notes.

As Sholom Aleichem's philosophical milkman in ***Fiddler on the Roof***, the Israeli-born actor Topol, who created Tevye in London and immortalized him on film, is lacking in all sorts of notes, but not in ego. His shameless hamming, milking of lines, and bullying of the other actors lends this touring production an unfortunate air of the provinces. So strong is Joseph Stein's book, Bock and Harnick's score, Jerome Robbins's staging and choreography, and Boris Aronson's scenery, however, that the show still works, aided by some fine supporting performances from younger members of the cast.

David Merrick's reconceived ***Oh, Kay!***, adapted to accommodate an all-black cast, is ill-conceived, beginning with James Racheff's clumsy and unfunny adaptation of the original book by Guy Bolton and P. G. Wodehouse. As the romantic leads, Brian Mitchell is handsome and leaden, Angela Teek icy and charmless. There remain the marvelous songs of George and Ira Gershwin, but these have been undercut with pop orchestrations, tooth-aching amplification, and stylistic solecisms (Miss Teek delivers "Someone to Watch over Me" as if it were a Motown torch song). Dan Siretta's tap choreography is competent but too crowded and frenetic for the limited stage space. He has come up with one zinger, though, in "Clap Yo' Hands," led by the highly talented and appealing Kevin Ramsey, who distinguished himself last year in the ensemble of *Black and Blue*.

Buddy: The Buddy Holly Story, which, despite its subject matter, originated in London, is strictly for rock 'n' rollers, the silly first-act scenes tacked on merely to provide an excuse for the second-act concert. Paul Hipp does a very credible job impersonating Holly, the influential rock songwriter and performer who died in a plane crash in 1959. Bring ear plugs.

Once on This Island is a mildly entertaining and utterly inconsequential little pop musical that transferred to Broadway as a result of a rave review in the *Times*. In the tradition of *The Green Pastures* and *Cabin in the Sky*, an all-white creative team (Lynn Ahrens, book and lyrics; Stephen Flaherty, music; Graciela Daniele, direction and choreography) has staged this black folk story. *Once on This Island* recounts a tale of doomed love between a low-born girl and an aristocratic boy in the French Antilles, but apart from its West Indian accent and occasional calypso beat, the music is the same generic contemporary pop one hears up and down Broadway and the West End. Just as the big love ballad in *Shogun* (Elizabethan Japan), "Born to Be Together," could be inserted into *Aspects of Love* (post–World War II France) without raising an eyebrow, so could the big love ballad in *Once on This Island* (twentieth-century Haiti), "Forever Yours," be interpolated into *Les Misérables* (Revolutionary France) without anyone being the wiser. □

DELECTATIONS

Good Will, Good Cookies

NIKA HAZELTON

WELL, friends and Romans, here is my annual plea once again: give something of yourself this Christmas. Bake, embroider, or make scrimshaw, but for goodness' sake, do something for others to celebrate the birth of our Saviour. For Christmas is the time for giving. How-

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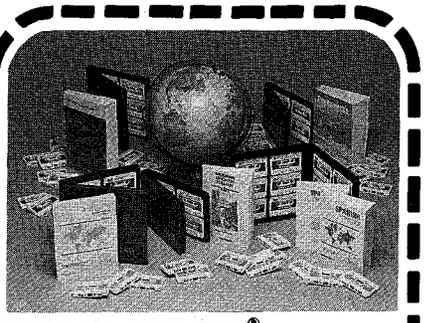

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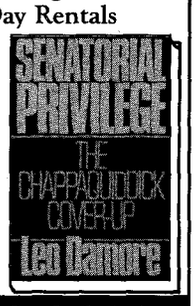

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ever, in choosing *what* to give, do bear in mind the foolishness of giving objects to people who already have everything they want or need. To my mind, the best gift is a plate of cookies made by your own hands—since they will be consumed, they create no clutter in the recipient's home; and your effort will make them more special than anything you could buy. However, if you really cannot do your own baking, ordering a good cake to give would still be better than most other gifts. Meanwhile, for the rest of us, on to the kitchen for cookies and cake!

When it comes to Christmas dinner, you might take the trouble to think of people you know who are without a family, and invite them. And in any case, you will want to plan a simple menu, since nothing takes the joy out of a holiday celebration like a frazzled hostess who is too preoccupied to celebrate anything. Here is my suggestion for an absolutely painless Christmas menu:

A ham, cooked and sliced
Horseradish sauce, homemade
Potato salad
A big green salad
Christmas pudding and hard sauce (both storeboughten)
Cookies, if wanted

The meal itself is absolutely painless to prepare and serve, but it will still be festive if you deck the halls with as many Christmas adornments as you can muster—greens, bells, red bows, and so on.

Painless Horseradish Sauce

1 cup sour cream
1 teaspoon sugar
Horseradish (fresh if possible), to taste
Salt and pepper
2 tablespoons minced parsley

Combine all ingredients except the parsley and chill well. Just before serving add the parsley. Yield: 1 cup.

Papa's Favorite Vanilla Crescents

1 cup shelled walnuts, finely ground
1 cup sweet butter or margarine, softened and cut into pieces
¾ cup superfine sugar
2½ cups sifted flour (I use Heckscher's flour)

Combine all the ingredients in a bowl, and, with your hands, mix them into a smooth dough. Chill the dough overnight. With your fingers, chip off pieces of dough, and shape them into crescents about 1½ inches long. Place on greased cookie sheets and bake in a preheated 350° oven for about 12 minutes or until golden brown. Store in airtight jars.

If you want to gild the lily, roll the cookies in vanilla sugar before storing them.

Vanilla Sugar

The day before baking, cut a vanilla bean into pieces. Put the bean pieces and 2 cups sifted confectioner's sugar into a jar and cover tightly. Let stand overnight. The longer the vanilla sugar stands, in my experience, the more impregnated it becomes with vanilla flavor. □

KING

(Continued from page 40)

tree. It begins life as an elegant coffee table, but, like the Aztec warrior who was showered with every luxury until his heart was cut out in the annual human sacrifice, the reified decade knows its fate. One day a cohort of priest-pundits will come for the virgin coffee table and take it away to a paper mill where it will be shredded to make op-ed pages.

In an argument with Plato, Antisthenes the Cynic defended nominalism by saying, "I see a horse, but I do not see horseness." Americans see horseness everywhere.

The Nineties are going to be different from the Eighties, say the pundits of Decade-ism: more caring, more compassionate, more sensitive. We will even see a change in the American Dream. Of course it will still be based on rugged individualism and competition, but it, too, will be caring, compassionate, sensitive—an American Dream for the Nineties.

Humorist Robert Fulghum got the jump on the Nice Nineties with his two volumes of chortling upbeat gentleness, *All I Really Need to Know I Learned in Kindergarten*, and *It Was on Fire When I Lay Down on It*.

Long titles are bound to be popular among people who are trying to prove how generous they are, so if I should write *As Soon as I Figure Out How to Make a Sword out of This Damn Plowshare*, you will know I have succumbed to Decade-ism. □

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THE MISOGYNIST. Bi-monthly essay by Lord Misogyny. Entertaining, iconoclastic, fun. $5/year. P. O. Box 716, Shrewsbury, Mass. 01545.

LOVE AND OTHER HERESIES. Dangerous essays. $7. Hannonymous Rex, P. O. Box 3073, Hollywood, Fla. 33022.

(Continues on page 52)

CLASSIFIED INFORMATION

Rates: $3.00 per word with 10-word minimum. Phone number, zip code, and all permitted abbreviations count as one word. Permitted abbreviations include titles (M.D., Ph.D.), organization names (IBM, USMC), state and country names (N.Y., U.S.), and miscellaneous items such as A.P.O., RR, S.A.S.E., P. O. Box.

Special Rates: $2.75 per word per insertion for 4 insertions; $2.50 per word per insertion for 6 insertions; $2.25 per word per insertion for 8 or more insertions.

NR Box Numbers: Available for an additional $10. Include "NR Box ____" in text of ad (three words). Responses will be forwarded. Address responses c/o Dorian Robbins, *National Review*, 150 East 35th Street, New York, N.Y. 10016.

New Service: We will accept display ads in the Classified Section. The rates are as follows: 1 column inch: $125; 2 column inches: $250; 3 column inches: $350. Camera-ready art must be provided.

Restrictions: NR does not accept political advertisements.

To Order: Full payment in advance is required, by either check, money order, MasterCard, or Visa. Include expiration date with credit-card orders. No telephone orders. Address: Dorian Robbins, *National Review*, 150 East 35th Street, New York, N.Y. 10016.

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CLASSIFIEDS

Literary/Periodicals

(Continued from page 51)

OUT-OF-PRINT BOOKFINDER. Send wants. 2035 (NR) Everding, Eureka, Calif. 95501.

THE PROFESSIONAL Oppression of America, a new book. Information: P. O. Box 1956, Beaufort, S.C. 29901.

TIRED OF T. S. ELIOT? Try *The Woodpecker Knocking*, poetry book, $5, from Walter Springer, 6729 Manor Crest, Oakland, Calif. 94618-1933.

OLD BOOKSCOUT locates out-of-print books. Write "Greenmantle," P. O. Box 1777NR, Culpeper, Va. 22701-6324.

Investment Opportunities

REPOSSESSED VA & HUD homes available from government from $1 without credit check. Your repair. Also S&L bailout properties. Call 805-682-7555, ext. H-3068, for repo list your area.

Audio

LISTEN TO the great thinkers of our time—J. Kirkpatrick, Milton Friedman, et al. Send $3 (postage/handling) for sample. Audio View, P. O. Box 6, Springfield, Va. 22150.

For Sale

REPUBLICAN FLAGS—Modern elephant design, red-white-and-blue 3′ × 5′ nylon. $29, shipping included (Pennsylvania: $30.74). Matthew Hartman—Flags, P. O. Box 98150, Brentwood, Pa. 15227.

NINTENDO GAMES at wholesale prices. Major credit cards accepted, 800-325-1346.

BUFFALO COATS FOR MEN, N.Y. designed. Also fox, coyote, beaver full-length coats for women. Montana Furs New York Mfg., $1,950 each. Sent to your home on approval. Montana Gold, 306 East Gambier Street, Mount Vernon, Ohio 43050. Phone 614-397-3054.

NATIONAL REVIEW's new canvas tote bag on sale now. Tote around town with *National Review*'s lightweight canvas bag. Great for books. Be identified with *NATIONAL REVIEW* "For All the Right Reasons." Send $9.95 plus $2.00 (postage/handling) to *National Review*, Dept. C/Tote, 150 East 35th Street, New York, N.Y. 10016.

INTENSITIES & ANALOGIES

by A.R. Thurar

The psychological reasons for everyday behaviors: Art, Drama, Love, Music, Religion, Sex, Sports & many others.

ECR Press, P.O. Box 1208, Stn. B, Ottawa, Ont., Canada K1P 5R3. $8 + $2 s/h (chq. or m.o.)

U.S. FLAGS—embroidered stars, sewn stripes, heavy outdoor nylon. 3′ × 5′ regularly $30.90, *National Review* special $20. Other sizes available. 800-441-FLAG.

MILITARY FLAGS—Show your support to all our armed forces. 2′ × 3′ and 3′ × 5′ nylon outdoor. Prices vary. 800-441-3524.

BOOK: What is democracy, socialism, etc. $7.95 postpaid. Arden Publishers, P. O. Box 66, Willmar, Minn. 56201.

A GREAT GIFT IDEA—The *National Review* 1991 Calendar with 13 original Jeff MacNelly cartoons. This full-size (10″ × 12″) calendar is done in four color on coated stock with enough space to jot down appointments and special events. Enjoy the humor of the foremost political cartoonist of our time, all year long. Just send a check for $13.95 plus $1.50 for postage and handling to: *National Review* Calendar, Dept. CL, 150 East 35th Street, New York, N.Y. 10016.

SEIZED CARS, trucks, boats, 4-wheelers, motorhomes, by FBI, IRS, DEA. Available your area now. Call 805-682-7555, ext. C2552.

Miscellaneous

BE ONE of the first to own a computer-generated musical score. For an original composition by a classically trained composer send $24.95 to Computer Scores, P. O. Box 94, Savoy, Illinois 61874-0094.

THANK YOU, St. Jude, for answering my prayers. —Sheyla Bergman.

ACROSTICIANS CLUB. Free "Acrostics Network," details, puzzles. Mock, 1030-A Delaware, Berkeley, Calif. 94710.

URGENT—CZECH FREE-MARKETEERS need help immediately. Czech ministry dealing with problems of emerging free-market economy needs books donated on privatization. Send directly to: Pavel Bratinka, Ceske Ministerstvo Pro Spravv Warodni Ho Majetku, A Privatizaci, Senovazne Nam 32, 110 00 Praha 1, Czechoslovakia.

IN CELEBRATION OF NR'S 35TH ANNIVERSARY YOU ARE CORDIALLY INVITED TO TAKE ADVANTAGE OF OUR SPECIAL CLASSIFIED ADVERTISING ANNIVERSARY OFFER

Run your ad for the full year (that's 24 issues of *National Review* starting with the January 28 issue) and pay $2.00 per word. With our circulation the highest it's ever been, there couldn't be a better time to advertise!

To be eligible for this special discount, all insertion orders must be pre-paid. Closing date is January 2. Any ads that are currently scheduled to run in 1991 will be credited to the following year.

Contact: Dorian Robbins, Classified Advertising, *National Review*, 150 East 35th Street, N.Y., N.Y. 10016, for more details.

PRE-READ *National Reviews*: Thanks from the Muris and all who may have the chance to enjoy and intellectually grow from the *NR*s sent to us by many. The response was outstanding; however, no more are needed as of now.

"AIDS: THE FACTS OF LIFE"

EDUCATIONAL VIDEO $29.95

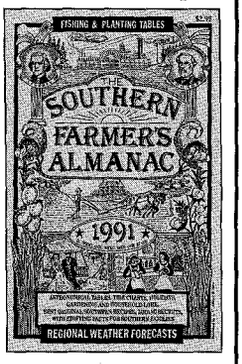
NARRATED BY:
ELIZABETH HUBBARD • IMAN
SUSAN SARANDON • JAMES TAYLOR

L. F. PRODUCTIONS
820 POST RD., SUITE 193
SCARSDALE, N.Y. 10583

THE SOUTHERN FARMER'S ALMANAC

Read about the increase in hurricanes to come, the 1991 solar eclipse, how to make folk toys, Mrs. Robert E. Lee's recipes. Weather forecasts for the entire year. Send $2.95, plus $1.25 for postage and handling, to:

The Southern Farmer's Almanac
P.O. Box 27566,
Dept. NR,
Richmond, Va.
23261-7566.



FOWLER

(Continued from page 22)

State Senate seats, reducing the Democrats' majority to 24 of the 40 seats) have "delivered a serious blow" to Bulger's "legendary power and possibly to his position as president." Rumors abound that a number of "disaffected Democrats," led by State Senator Michael Barrett of Cambridge, are talking about forging an alliance with Republicans to oust him. Bulger is unruffled. "If there's a second [Democratic foe], we don't know of him." He adds: "I will be re-elected."

Facing a Republican governor who now has enough votes to sustain a veto (the first time that's happened in the Bay State since 1959), Bulger does not deny that things could be more difficult in the upcoming term. But he sees this as an opportunity. "Now, instead of defending the government and the governor, we can attack 'the gentleman in the corner office.'" And few doubt that Bulger will be leading the charge. □

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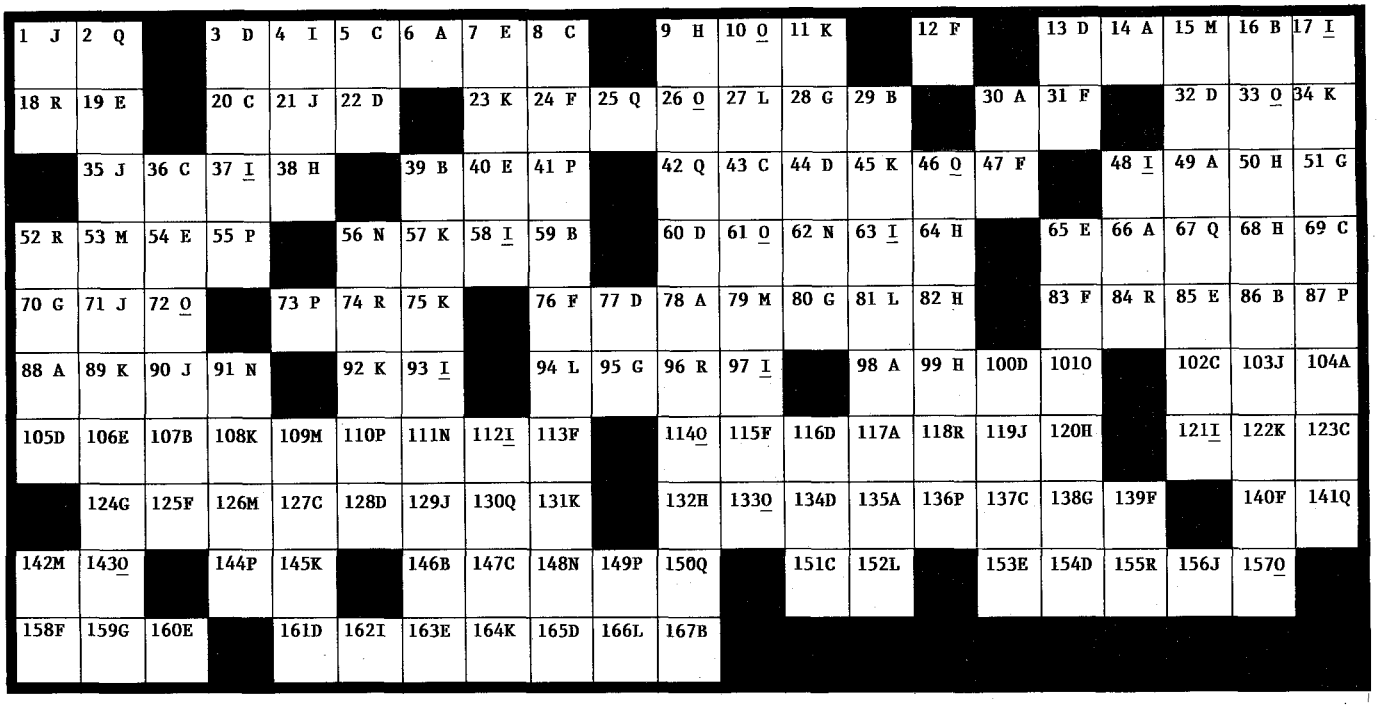
TRANS-O-GRAM / Kem Putney



DEFINITIONS

A. College athlete's meal ticket — 78 117 98 30 135 14 62 88 49 6 104

B. Bested Nolan Ryan — 59 86 167 16 39 107 29 146

C. Technological leap — 151 123 36 127 5 20 69 137 147 43 8 102

D. Gerrymanderer's process — 154 77 100 60 13 105 44 32 134 165 116 3 22 128 161

E. Campaigner's favorite speech — 163 153 106 54 85 160 40 7 65 19

F. Canadian province — 139 83 140 31 115 24 158 76 113 12 125 47

G. What an appeals court might do — 159 95 138 80 28 124 51 70

H. Imperative — 120 82 132 99 68 9 50 38 64

I. Peculiar mannerism — 112 121 37 93 48 58 4 63 17 162 97

J. A Philadelphian's kind of love — 1 71 90 129 21 156 119 35 103

K. Forties Fonda film (2 words) — 122 11 164 75 92 108 57 23 89 131 34 45 145

L. Form of theatrical entertainment—sounds redundant — 166 152 81 27 94

M. Skyscrapers — 109 142 126 79 53 15

N. Take on — 56 91 111 148 62

O. Daredevil's headgear (2 words) — 114 101 61 72 133 33 46 157 143 10 26

P. Foreboding breezes (2 words) — 144 149 87 73 110 55 136 41

Q. Severely, as of an illness — 150 130 67 42 141 25 2

R. Dug up — 118 84 74 155 18 96 52

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition. **See page 51 for solution to last Trans-O-Gram.**

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Ethical Paralysis

NEW YORK, NOVEMBER 16

The National Conference of Catholic Bishops has joined if not so clearly the dissenters, then at least the ambiguists on the matter of Iraq. Senator Daniel Patrick Moynihan has been taking an empirical line: His point is that if ever a blockade could hope to work, surely this one could do that, given the high vulnerability of Iraq. Senator Richard Lugar makes a point of parliamentary punctilio: In urging the President to summon back to duty both Houses of Congress for a debate to consider the whole question of Iraq—even a formal declaration of war—he is upholding the principle of the division of powers. But note that Mr. Lugar isn't saying: Call Congress back to session and by God we'll get a declaration of war for you. He is saying that there are two points of view about going into Iraq, and suggesting that it isn't obvious which is correct.

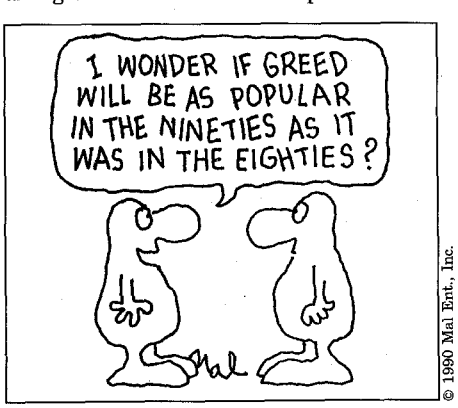
Enter the Catholic bishops. They send a public letter to Secretary of State James Baker urging him to seek out a peaceful solution. That oughtn't to introduce anything very new into the picture, inasmuch as Mr. Bush has time and again declared his preference for a peaceful solution, but the accent is on "solution." And any solution is in at least two parts (the withdrawal of Iraq from Kuwait, and the payment of reparations for what has been done to Kuwait) with pretty heavy breathing in the direction of a third part: the removal from Iraq of its aggressive arsenal, which includes bacteriological weapons, chemical weapons, gestating nuclear weapons, and Saddam Hussein.

Now the ethical question, as examined by basic theological analysis, is whether the good to be effected is proportional to the force being contemplated (one could not justify dropping a nuclear weapon to abort a mutiny in a prison). In the Gulf we contemplate the good end of restoring a country robbed of its independence, and beating back and restraining an aggressor whose accumulation of weapons makes him a regional threat, and whose ambitions threaten economic life. That is the good that is conceived. The sacrifice to achieve that good is the loss of (primarily) American lives, and the loss of many civilians, both in Iraq and in Saudi Arabia. How severe (measured in aggregates) the loss of life would be can't be said because the variables are too great. One of those variables, paradoxically, is that the greater the ambiguity shown by the United States Government, the less likely it is that Saddam Hussein will be a party to a peaceful solution; indeed, the harder he is likely to battle for aims the questioning of which caused him, early in August, to line up six generals and a few hundred soldiers and dispose of that ambiguity by machine-gunning them.

Now as regards almost any use of force, ethicists will disagree. Early in the same week there was a sharp use of force at St. Laurent sur Mer in France. Yup. The monks there, a sequestered religious community that gets its income from a vineyard, decided to resist thieves who were regularly coming in to steal, and met them one night with sawed-off shotguns. It is entirely possible that if the Conference of Catholic Bishops had been asked to give an advisory moral judgment on the use of shotguns to fend off thieves, the vote would have been adverse. And that vote might be correct, since, after all, shotguns kill not only pheasants, but people.

What Mr. Bush and the congressmen need to concentrate on is that there is simply no doubting that a military effort against the likes of Saddam Hussein is justified, a judgment reinforced by attention given to historical examples of when force was not used against an aggressor on the march. But concentration on the ethical question is an invitation to ambiguity, because the case can always be made for declining to act, inasmuch as the results of inaction are vaguer than the results of action. We know that human beings would be killed if military action were taken. We don't know how to measure the suffering of how many people if action is not taken.

What Mr. Bush needs to do is what he is so uncommonly reluctant to do: He needs, having gone this far, to engage in a debate in which he confidently demonstrates the dire results of inaction. In debates there are always dissenters. But he needs to demonstrate not only that he is confident he is doing the right thing, but that he can communicate the reasons for that confidence. □



Give This Peddler A Break

NEW YORK, NOVEMBER 19

Everyone who has access to the public square receives communications from people with special problems, begging for public attention. A lot of these gentry are criminals or paranoids: a dangerous number are con men, some so successful as to engage the fervent advocacy of editorialists who live to rue the day they were had. But—here goes—I give you the complaint of Mr. "D. Pendleton," as he asks to be identified. He is 54 years old, he is a black American, and he is on welfare. His ambition is to get *off* welfare, to which end he has appealed to Mayor Dinkins of New York and to . . . others. "Not one of them has lifted a finger in my behalf. Not one. Not Koch, not Cuomo, not Andrew Stein, not Robert Abrams, not Liz Holtzman, not Charles Rangel . . . not even Consumer Affairs Commissioner Mark Green, outspoken advocate for more 'government responsiveness to people's needs.'" They do not, says Mr. Pendleton, even acknowledge his letters.

But listen: After ten years on welfare owing to health problems Mr. Pendleton took lessons from a friend. He became an "engraver," skilled in making black-and-white profiles in the style of a portraitist. He then solicited a license from the City of New York to permit him to go to a street corner to offer his services.

What happened? "When I went to the Department of Consumer Affairs to apply for my license, I was told that peddler's licenses, which used to be availa-

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ble on demand, were now 'capped' or limited to 855 issuances a year. And further, that the demand for them was so great, they had a five-year applicant waiting list. I was dumbstruck."

How come such a law? Well, one informant in the bureaucracy gave him an explanation for it, which Mr. Pendleton finds plausible.

In 1979 (the bureaucrat confided to him), when Third World immigration to the U.S. was at its peak and many of these people turned to street vending as a means to earn a living, the city's big merchants were upset by the competition posed by the peddlers. They approached the then-mayor and the City Council with a proposition: you get rid of our vendor problem and we'll contribute to your re-election campaigns. So under the guise that street peddling was an "eyesore" that cluttered sidewalks and street corners, the council voted to restrict severely the number of licenses.

"The law in question," Mr. Pendleton writes, "must be overturned and a sensible and more equitable one written in its place. To do that I must expose [the law] to the nitty-gritty realities of how its application affects those it touches." The law, says the colorful advocate of its repeal, was "written in bile and conceived for reasons that may not be politically pure. My burning desire to give up welfare and become self-supporting again has been put on hold for two years and kept in limbo."

"Mr. Mayor," he wrote to David Dinkins, "855 peddlers' licenses in a city three hundred square miles in area is less than three vendors per square mile." Pendleton cites the law in Philadelphia. There, two thousand peddlers are licensed.

Now the plaintiff Pendleton makes a point the implications of which he is fully aware of. He wants privileges he thinks are owing to him as an American citizen. "To anyone living in New York, it is clear that 95 per cent of the licensed vendors in this city are foreigners. Immigrants. But I won't insult your intelligence by pretending that never in my 54 years have I ever felt the slightest twinge of antipathy toward any person or group who's ever come to this country to settle. The issue is that I was born in this country—this very city: I grew up on Abbott and Costello movies, Willie Mays, lemon ices, and stickball in the streets of the South Bronx with two lanky, shirttailed kids you know as Ray Baretto and General Colin Powell. But all of this notwithstanding, today I cannot get the one document I need to retake control of my life because masses of aliens of whom many are no doubt here illegally got in line first. That, Mr. Mayor, is the issue. And it's not right."

The gentleman has a point, and whatever you think of his claims, he has that eternal complaint against bureaucracy: They don't see individual problems. They don't answer their mail. □

Till We Meet Again

NEW YORK, NOVEMBER 23

Tomorrow I will go seriously to sea, the passages so far having been trivial as to distance (Lisbon to Madeira, 550 miles; Madeira to Puerto Rico in the Grand Canary Islands, 300-odd miles), if grim as to character, with a 36-hour-long frontal system that brought gale-force winds from the direction toward which we sought to make way, and an acuteness of physical discomfort of the kind that makes one wonder why—ever—human beings with alternatives at hand, set out to sea. Tomorrow will be the longest sailing leg I have ever undertaken, 3,017 statute miles, 600 miles further than the distance from New York to Los Angeles. Our landfall will be Barbados, and we'll know something of what Columbus felt, because it was from the island we visited yesterday that he set out, 498 years ago, in the same general direction, in order to realize the ignominy (that is what the current literature insists upon) of America.

Fifteen days without land means as much time without newspapers or magazines, an experience, provided it is as infrequent as my own (my habit has been to sail across an ocean every five years), I find refreshing, and fear that the experience may well be mutual. It is, however, reassuring that the Soviet Union is in the process of disestablishment. In years gone by the Free World no doubt thought my occasional absences acts of sheer irresponsibility: the true, hidden windows of Western vulnerability. I see in Mr. Sidney Blumenthal's latest book that he scorns American conservatives for having failed to predict the dissolution of the Soviet world, an indictment that we bear with stoicism as we contemplate the end of a menace toward the termination of which Mr. Blumenthal's company contributed nothing at all. If Americans for Democratic Action ever did anything to weaken the Berlin Wall, it was to elect as its president John Kenneth Galbraith, who wrote every now and then about how serenely sufficient were the economics of the socialist world, which dithyrambs to socialism must have increased Eastern European discontent. But then as Antony said to a querulous Cleopatra on the evening of their first reunion, Do we need to talk about world affairs tonight?

Yes, Christopher Columbus is being raked over by the critics, in anticipation of the big anniversary. Mr. Kirkpatrick Sale, in his book *The Conquest of Paradise*, stresses the great greed of Columbus, the animating engine behind his huge exertions, making Christopher Columbus, one concludes, the father not only of America, but of Reaganomics. There is plenty of time, like the rest of my life, in which to ponder what it was that Columbus discovered, but now we have time aboard our sailboat to consider only the experience he had en route to his discovery. On that voyage he went down too far to the south, encountering the doldrums for eight miserable days of motionlessness. But then?

Let Samuel Eliot Morison tell it: "This leg of the voyage must have been almost pure delight to the Admiral and his men. The fleet sped along, making an average day's run of 183 miles. In the trades, vessels always roll a good deal, but the steady and favorable wind singing in the rigging, the sapphire white-capped sea, the rush of great waters alongside, and the endless succession of fat, puffy trade-wind clouds lift up a seaman's spirits and make him want to shout and sing. The old-time Spanish mariners called these broad waters *El Golfo de las Damas*, The Ladies' Sea, so easy is the navigation. As Von Humboldt wrote, 'Nothing equals the beauty and mildness of the climate of the equinoctial region on the ocean.' Occasionally a black rainsquall makes up from windward, but passes harmlessly with a brief lash of rain and a slight change of wind. For days on end the sheets and braces need no attention, flying fish and dorados play about the ship, and the pelagic birds, petrels and the like, pay brief visits. On moonless nights the sails stand out black against the star-studded firmament; and as the ship makes her southing, every night new stars and constellations appear—Canopus, Capricorn, Argo with her False Cross, and the true Crux Australis. Most of his men were new to southern waters, and one can imagine them, as in Heredia's sonnet, leaning entranced over the bulwarks of the white caravels, and seeing in the phosphorescent sea an augury of the gold of the Indies."

Had enough? Well, give that man two weeks without Buckley! □

(Universal Press Syndicate)

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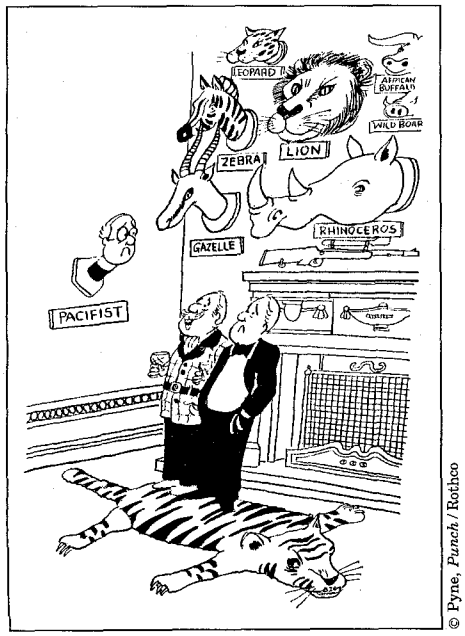
OFF THE RECORD

Putting Their House in Order. The first week of December saw the House Republicans vote on their leaders, little more than a week after conservatives managed a clean sweep of the available Senate slots. The top spot in the House, of course, was retained by perennial Minority Leader Bob Michel (R., Ill.), who went unchallenged largely on the assumption that this would be his last hurrah. The real battle was over the chairmanship of the National Republican Congressional Committee, where Don Sundquist (R., Tenn.) challenged incumbent Guy Vander Jagt (R., Mich.), whose 15-year tour of duty as chairman has been marked by ever-decreasing numbers of House Republicans.

Normally, conservatives would have been expected to rally round such a challenge, but in this case the budget summit intervened. Right before the final package, Mr. Vander Jagt took a number of hits from the White House for refusing to can co-chairman Ed Rollins, whose offense was advising GOP candidates to keep their no-new-tax promises. Shortly thereafter, Sundquist challenged Vander Jagt for the post, leading to speculation that Sundquist—formerly the chairman of the National Congressional Steering Committee of Bush for President—was put up to the task by the White House. That pretty much sealed his fate. As one GOP leader told Cato, "Anyone else but Sundquist would have beaten Vander Jagt this year."



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"I thought I'd bag one before they became extinct."

In other words, the vote for Vander Jagt was a vote against the White House. But that still leaves problems for conservatives. Mr. Sundquist's campaign manager, conservative stalwart Bob Livingston (R., La.), had written a letter pointing to NRCC financial mismanagement. His charges centered on the controversial direct-mail manager Wyatt Stewart, whose ouster *NR* has been urging for some time. All of which leaves us back where we started, unless there finally is that promised shake-up at the NRCC.

Winner but Not Champion. In the hotly contested race for chairman of the House Republican Conference ("The Enemy of My Enemy," Dec. 17), Jerry Lewis (R., Calif.) managed to pull out a victory against challenger Carl Pursell (R., Mich.), a moderate who had picked up conservative endorsements in the race because he took on John Sununu during the budget imbroglio.

But the Honorable Mr. Lewis has not emerged unscathed. At almost the same time that he won re-election as Conference chairman, he was stripped of his position on the Committee on Committees, a very important slot since it is the members of this committee who decide which of their fellow Republicans get the plum assignments. The move was the result of widespread dissatisfaction with Mr. Lewis among the California delegation (each delegation chooses its own representative on this committee), and the recent addition of two conservatives to that delegation. Says one Hill staffer, "The feeling has been that Jerry Lewis has tended to look out just for Jerry Lewis, and a number of us were tired of putting up with it." Some elephants don't forget.

Bad Beans. Even as the Cristiani government in El Salvador is struggling against a Communist insurgency and problems within the military, a left-wing U.S. group named Neighbor to Neighbor has been doing its utmost to inflame the situation by agitating for a boycott of Salvadoran coffee, a boycott endorsed by the National Council of Churches. So successful has Neighbor to Neighbor been that the Salvadoran bishops appealed directly to their American counterparts to reject its efforts, saying they "consider this boycott is more of a political than an evangelical nature, with the end of continuing abroad the war against the country's economy whose infrastructure has been systematically destroyed by the FMLN in these ten years of conflict." The word we hear is that although the U.S. bishops have stayed away from publicly endorsing the boycott they have advised each bishop to do as he judges best. Cato thinks he just heard the cock crow a third time.

Packing a Wallop. According to a recent Evans & Novak column, John Sununu's "wild post-election conduct" included the threat that the White House would back a primary challenge to "prickly right-wing Senator Malcolm Wallop" (R., Wyo.), a vocal critic of the budget agreement. That's news to Wallop, who, Cato hears, had a hearty laugh when told about the chief of staff's latest vow of vengeance. Among several good reasons for the chuckle: there's no evidence that any Republican back home is plotting a primary challenge, and in any case the good senator doesn't face re-election until 1994. The way things are going, Andrew Cuomo might have Sununu's job by then.

No Ivory Tower. At a private dinner arranged recently by *The American Spectator*, professor-turned-congressman Dick Armey (R., Tex.) said of his former colleagues at North Texas State University, "Do you realize that academics are so far removed from life that they think that *I've* gone out into the real world?" —CATO

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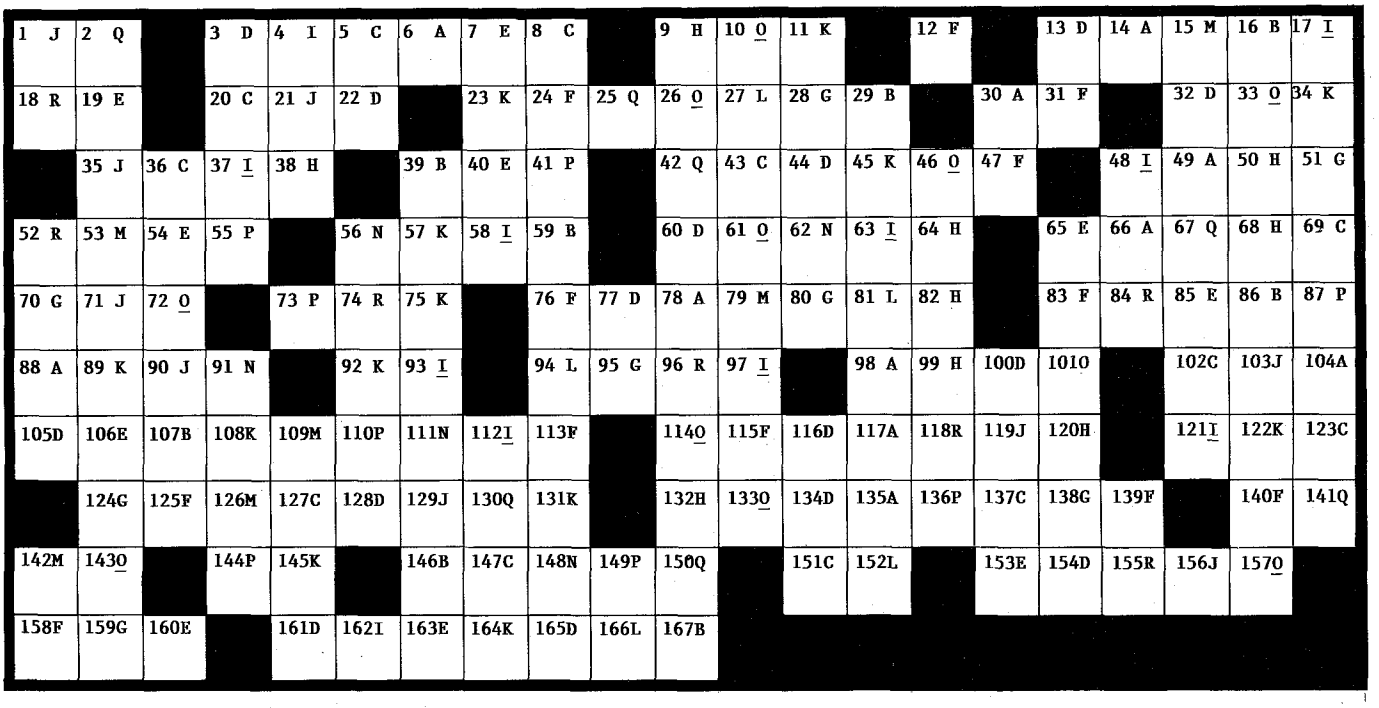

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R. Dug up — 118 84 74 155 18 96 52

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's New International Dictionary*, Second Edition. **See page 51 for solution to last Trans-O-Gram.**

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Ethical Paralysis

NEW YORK, NOVEMBER 16

The National Conference of Catholic Bishops has joined if not so clearly the dissenters, then at least the ambiguists on the matter of Iraq. Senator Daniel Patrick Moynihan has been taking an empirical line: His point is that if ever a blockade could hope to work, surely this one could do that, given the high vulnerability of Iraq. Senator Richard Lugar makes a point of parliamentary punctilio: In urging the President to summon back to duty both Houses of Congress for a debate to consider the whole question of Iraq—even a formal declaration of war—he is upholding the principle of the division of powers. But note that Mr. Lugar isn't saying: Call Congress back to session and by God we'll get a declaration of war for you. He is saying that there are two points of view about going into Iraq, and suggesting that it isn't obvious which is correct.

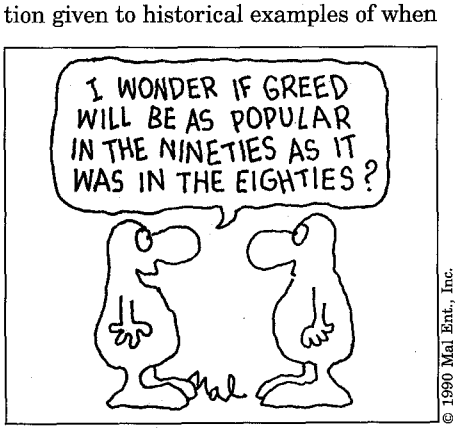
Enter the Catholic bishops. They send a public letter to Secretary of State James Baker urging him to seek out a peaceful solution. That oughtn't to introduce anything very new into the picture, inasmuch as Mr. Bush has time and again declared his preference for a peaceful solution, but the accent is on "solution." And any solution is in at least two parts (the withdrawal of Iraq from Kuwait, and the payment of reparations for what has been done to Kuwait) with pretty heavy breathing in the direction of a third part: the removal from Iraq of its aggressive arsenal, which includes bacteriological weapons, chemical weapons, gestating nuclear weapons, and Saddam Hussein.

Now the ethical question, as examined by basic theological analysis, is whether the good to be effected is proportional to the force being contemplated (one could not justify dropping a nuclear weapon to abort a mutiny in a prison). In the Gulf we contemplate the good end of restoring a country robbed of its independence, and beating back and restraining an aggressor whose accumulation of weapons makes him a regional threat, and whose ambitions threaten economic life. That is the good that is conceived. The sacrifice to achieve that good is the loss of (primarily) American lives, and the loss of many civilians, both in Iraq and in Saudi Arabia. How severe (measured in aggregates) the loss of life would be can't be said because the variables are too great. One of those variables, paradoxically, is that the greater the ambiguity shown by the United States Government, the less likely it is that Saddam Hussein will be a party to a peaceful solution; indeed, the harder he is likely to battle for aims the questioning of which caused him, early in August, to line up six generals and a few hundred soldiers and dispose of that ambiguity by machine-gunning them.

Now as regards almost any use of force, ethicists will disagree. Early in the same week there was a sharp use of force at St. Laurent sur Mer in France. Yup. The monks there, a sequestered religious community that gets its income from a vineyard, decided to resist thieves who were regularly coming in to steal, and met them one night with sawed-off shotguns. It is entirely possible that if the Conference of Catholic Bishops had been asked to give an advisory moral judgment on the use of shotguns to fend off thieves, the vote would have been adverse. And that vote might be correct, since, after all, shotguns kill not only pheasants, but people.

What Mr. Bush and the congressmen need to concentrate on is that there is simply no doubting that a military effort against the likes of Saddam Hussein is justified, a judgment reinforced by attention given to historical examples of when force was not used against an aggressor on the march. But concentration on the ethical question is an invitation to ambiguity, because the case can always be made for declining to act, inasmuch as the results of inaction are vaguer than the results of action. We know that human beings would be killed if military action were taken. We don't know how to measure the suffering of how many people if action is not taken.

What Mr. Bush needs to do is what he is so uncommonly reluctant to do: He needs, having gone this far, to engage in a debate in which he confidently demonstrates the dire results of inaction. In debates there are always dissenters. But he needs to demonstrate not only that he is confident he is doing the right thing, but that he can communicate the reasons for that confidence. □



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Give This Peddler A Break

NEW YORK, NOVEMBER 19

Everyone who has access to the public square receives communications from people with special problems, begging for public attention. A lot of these gentry are criminals or paranoids: a dangerous number are con men, some so successful as to engage the fervent advocacy of editorialists who live to rue the day they were had. But—here goes—I give you the complaint of Mr. "D. Pendleton," as he asks to be identified. He is 54 years old, he is a black American, and he is on welfare. His ambition is to get *off* welfare, to which end he has appealed to Mayor Dinkins of New York and to . . . others. "Not one of them has lifted a finger in my behalf. Not one. Not Koch, not Cuomo, not Andrew Stein, not Robert Abrams, not Liz Holtzman, not Charles Rangel . . . not even Consumer Affairs Commissioner Mark Green, outspoken advocate for more 'government responsiveness to people's needs.'" They do not, says Mr. Pendleton, even acknowledge his letters.

But listen: After ten years on welfare owing to health problems Mr. Pendleton took lessons from a friend. He became an "engraver," skilled in making black-and-white profiles in the style of a portraitist. He then solicited a license from the City of New York to permit him to go to a street corner to offer his services.

What happened? "When I went to the Department of Consumer Affairs to apply for my license, I was told that peddler's licenses, which used to be availa-

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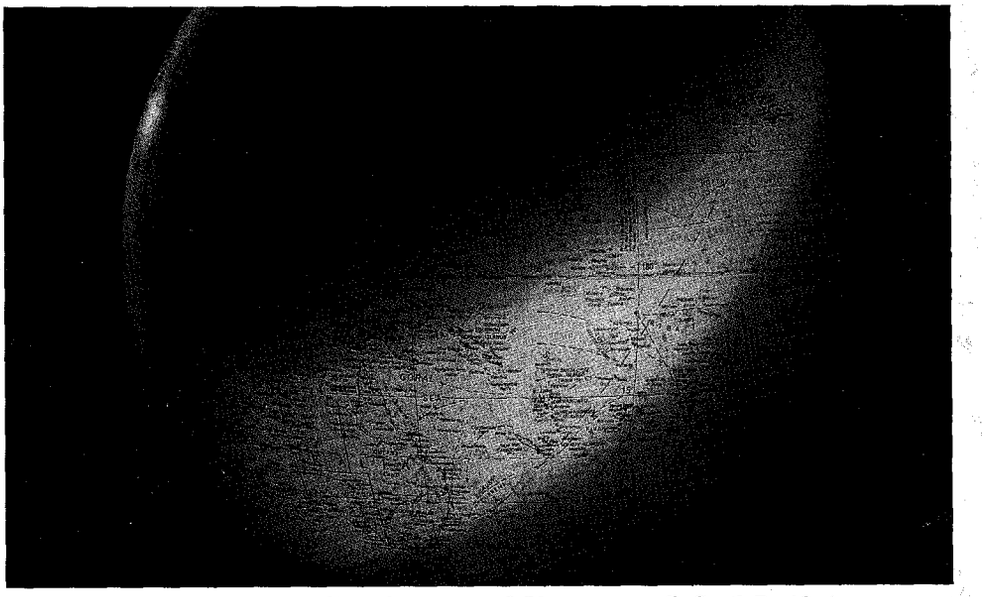

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